Communications Center Supervisor

Module A

Student Resource Guide

Telecommunicator Program Expectations
For Comm Center Supervisor Course Participants

The Washington State Criminal Justice Training Commission Telecommunicator Program office looks forward to your participation in this course. We value the insight and knowledge that you will bring to the class. We constantly strive to make our classes the best they can be, and to provide you with the opportunity to hone your skills and deepen your knowledge of our chosen profession in public safety communications.

In order to make a safe and comfortable environment for learning and teaching, we want to let you know our expectations for course participants who attend our classes. Here's what we expect: Supervisors are professional adults who will conduct themselves in that manner throughout the week. Participants represent their agencies and as such, their conduct is expected to be professional, not only during class, but also on breaks as well. For the Telecommunicator Program Office and course facilitators, professional means:

- Come to class and return from breaks on time and prepared to participate! Your experience either in this industry or through other life or work experience is valuable to all of us.
- Class will start promptly at 8:00 each morning and end at 5:00 including the last day. As a participant, you are being paid by your agency to be here for the entire class. If you are not here, we will check in with your employer to make sure that you are okay and make them aware of your absence. If you are late or miss any portion of the class, we will notify your agency so that they can make any necessary payroll or timekeeping adjustments.
- Pre-course work is sent out several weeks in advance and it is expected that you will complete it outside of class. If you have questions about when pre-course work is to be completed, please contact your agency management.
- Bring required pre-course assignments and materials with you the first day.
- Complete all assignments – participants who have not completed the pre-course work will be asked to return to their agency, where they may reapply for the course at a later time.
- Attentive – we ask that you be attentive to the material and to your co-participants as well.
- You are expected to be polite and respectful of others.
- Debate without arguing
- No attacking behaviors
- Refrain from side barring or talking over someone else.
- Language and conduct shall be professional at all times – this is expected inside and outside the classroom.
- Your attire should reflect your agency's dress policy. This is a professional environment. If you are in doubt of what your agency would expect in the way of dress, please check with them.
- As adult learners, you are responsible for:
- Your own learning – we will make every attempt to create a safe environment in which to learn. We believe that you will get out of the class what you are willing to put into it.
- If you don't understand something, ask! You can ask at any time during the class or ask one of the instructors during a break or after class. Asking for clarification on a question is the responsibility of the participant.
- If you need special accommodation to see or hear better in the class, or if your learning is being negatively impacted in some way, we expect you to tell us. What might distract one person may not distract others – we need you to bring your needs to our attention.
- Please monitor your personal behaviors that may be distracting to others. Also, monitor your sharing – we ask many questions – let others share answers as well. We may ask those of you with more experience to occasionally limit sharing so that newer people have an opportunity to respond.
- Be flexible
- Expect to be moved (seating) every day – one of the greatest benefits of attending training courses is your ability to get to know new people and create a network of other professionals. Don't limit your options.
- You will be often working in groups, working through scenarios or other activities. Participate!
- We maintain a time log of all breaks and the time that class begins and ends each day. We give ample breaks and time for reading the course materials. You are free to stay after class

to read or ask questions of the facilitators. We will make every attempt to enrich your learning.

- In order to maintain an effective learning and instructing environment, we will attempt to deal with any issues that affect our participants, instructors, or staff. We expect you to come to us if such an issue arises. Likewise, you can expect that we will contact you or your agency about any issues we have with your attendance, conduct, attitude, or behavior that has a negative impact upon the class.

It is our sincere desire to provide you a rich learning experience. We look forward to having you in our Comm Center Supervisor course.

We are about to embark on what we hope you will find to be an interesting and informative journey. The Comm Center Supervisor course was developed by three organizations from across the U.S., the Washington State Criminal Justice Training Commission – Telecommunicator Program Office, The Mid-America Regional Council (Kansas City, KS & MO) – 9-1-1 Services – Public Safety Training Program, and the Georgia Public Safety Training Center, Communications Officer Basic Training Program.

This course has been designed primarily for the new comm center supervisor. It is designed to meet as many of the applicable APCO Communications Center Supervisor standards as possible and to not only introduce you to important supervisory concepts and ideas, but to give you real, tangible, hands-on tools to use as you move through your career. Because there are so many important components to supervision, we have included required pre-course reading for both modules. This reading is critical to your success in this class and we think you will find that it will be invaluable to you as you move through your supervision and management careers in public safety communications.

In their book "People Styles at Work", Robert Bolton and Dorothy Grover Bolton state that, "A nonprofit research institute studied 21 derailed executives-individuals who, based on their early successes, had been expected to go much higher in the organization but whose progress stalled or careers ended when they were fired or forced to retire early. The derailed executives were compared with a group of "arrivers" who made it to the top. These two groups of talented managers showed many similarities and only a few differences. One dissimilarity, however, stood out; as the researchers reported, "ability-or inability- to understand other people's perspectives was the most glaring difference between the derailed and the arrivers. Only 25 %of the derailed were described as having a special ability with people; among arrivers, the figure was 75%".

A lack of these skills or a lack of "emotional intelligence" in a supervisor can be a career-ender. We hope to expose you to new, or if not new, a more in-depth look at ideas such as emotional-intelligence, situational leadership, workplace negativity, and performance appraisals that motivate subordinates rather than frighten, stress, or bore them. We will ask you to identify the most critical parts of your job. All of us have at one time or another, become so mired in minutiae that we miss the *really* important aspects of our jobs, not the least of which is to enjoy what we do.

We'll be talking about ways you can avoid being derailed by a lack of interpersonal skills. We are devoting time not only to interpersonal *communication* skills, but also emotional intelligence and leadership skills. All of these areas are parts of your personality or behavior that can be *improved*. You CAN learn to be more effective. It will take time, practice and commitment – if it was easy, everyone would be effective and great to work with. You will be given information in these modules that will provide you a way to improve in your job performance.

Because we want to deliver the most informative, useful, and tool-laden course we can offer, this course is delivered in two modules – we call these Modules A & B – we are beginning Module A today. The time between the two courses will be used to complete further reading, as well as an assignment. In both modules, we will have a pre-test. As the information that was sent out ahead of the course described, the pre-test is based upon your pre-course assignments – the reading assignments and the pre-course essay that you turned in prior to the course. Because of the importance of your position, and the fact that you are part of the management team, the standards for this class are higher. We believe that you operate on a higher professional level due to your duties and responsibilities and are capable of meeting this higher standard. In order to get the most information out of the course, it is

critical that you work from the mindset of a supervisor. While there are a variety of experience levels in all courses, in this course it is critical for you to work on your assignments from the role and responsibility of a supervisor, even if that is not your current role at your agency. You have been provided resources for the course which include:
Student Manual
Journal – you will be assigned work to do in your journal. However it is also there for you to make notes on learning points you want to capture. Journaling is an effective learning tool and we will utilize this throughout the course.

We will also be utilizing the nominal group technique. It is important that every takes opportunity to be all the various roles. (Discuss facilitator, timekeeper, presenter and scribe.)

Module A
Unit 2 – The Role (Model) of the Supervisor

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Objectives
By the end of this module the student will be able to:

- List the common duties and tasks of a communication supervisor
- List the necessary knowledge, skills, traits and attitude of an effective supervisor
- Identify means to execute the duties and task of their position
- Define the role and influence they have within the organization
- Explain their role in fulfilling the mission of the organization
- Summarize ways a quality assurance or improvement program can assist in evaluating employee performance
- List the process as described in the curriculum for investigating complaints or inquiries
- Articulate their role in the area of training within the agency

The duties and tasks of a supervisor may be generally listed in the occupational analysis; however, there are others that can/should be identified based upon their pre-course reading for this module:

Duty: For the supervisor to create and support an atmosphere where employees can reach their full potential for professional and personal growth and achievement (as well as create an atmosphere to assist in employee retention) (1 Minute Manager-Leadership is an)

Duty: To communicate effectively with all types of people (People Styles at Work or People Skills - – 1 Minute Manager & Situational Leadership)

Duty: To encourage, support, and oversee an ethical workplace – (Sleeping Dogs –
As part of this discussion, have them list tasks that would be undertaken in order to fulfill the duty

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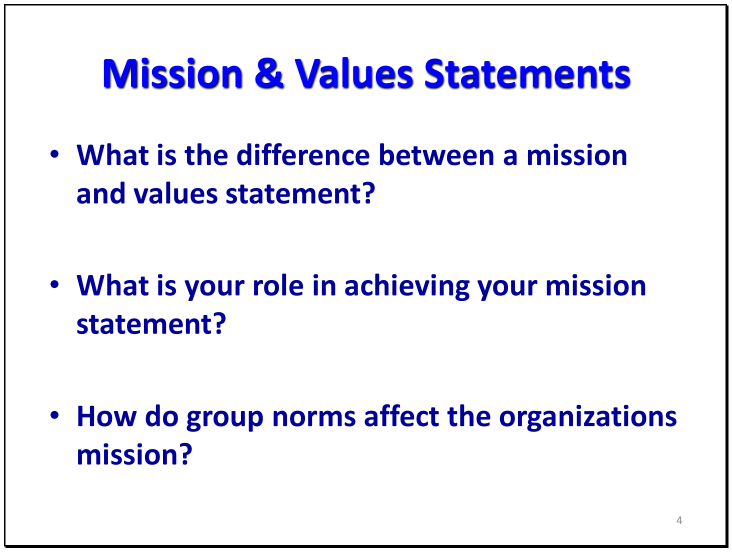

How many of you have agency mission statements? How many of you can tell me what your mission statement says?

We are going to talk about your organization this morning. You were asked to bring your agency mission and values statements. This may be one statement or two, but we would like to start off with having each of you read your statements to us. We're going to jot down some of the descriptions here.

We will be talking about the different groups that you must be able to effectively communicate and interact with.

Identify for me the different groups with whom you are expected to work within your agency. These can be formal groups or informal groups that develop – who are they?

- Management – Administrative group – director, deputy director, operations manager, technical manager, chief, sheriff
- Shift group – your subordinates
- Peers – the "supervisor" group
- User groups – law enforcement users, fire users, other governmental agency representatives

Give me some examples of the interactions you have with these *groups* (not individuals from these groups).

- Management – meetings, assignments/projects, technical projects
- Shift – shift meetings, counseling sessions, shift interactions, performance reviews
- Peers – supervisor meetings
- User groups – operations meetings, project meetings

Are most of your contacts with these groups formal or informal? What differences do you see between formal and informal groups? Do they operate differently? Is one easier to work with than another?

We're going to talk about informal group dynamics. One of the basic tenants of this class is that no one is an island – other people DO play a critical role in our success. We may not LIKE everyone we are asked to deal with in the workplace, but we must be able to work with them in order to be effective. Understanding the dynamics of informal groups may help give insight into what is really going on. This is a short overview of the topic and we will encourage you to add the information we have here to your suggested reading or further study-development list.

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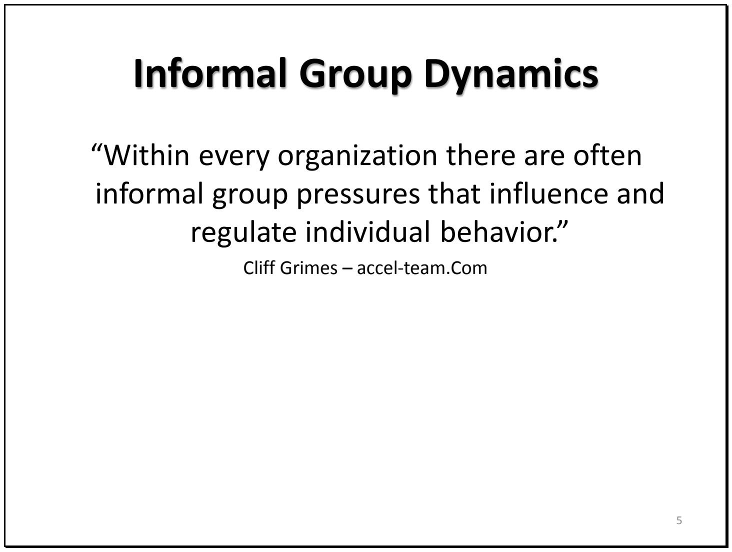

Informal Group Dynamics

ACCEL-Team.Com has an interesting series of papers – you can subscribe and receive a copy for $12.95. In his work on informal group dynamics in the workplace, Cliff F. Grimes makes some interesting assertions. We recommend if you are interested in reading further about the supervisor and group norms, that you go online and subscribe.

Cliff Grimes writes, "Within every organization there are often informal group pressures that influence and regulate individual behavior."

Group norms are determined by the group. Grimes says "where both formal and informal norms exist, the informal norms transcend the formal. At moments when norms conflict with organizational objectives, organizational effectiveness suffers."

"Informal groups formulate an implicit code of ethics or an unspoken set of standards establishing acceptable behavior…"

Mr. Grimes tells us that in most circumstances in a workplace, informal groups will crop up if the opportunities exist and that they attempt "to counteract the coercive tendencies of an organization".

positions for a while, most of you could give us examples of informal groups and the impact they have on an organization. Can informal groups make life difficult for your or your agency? **YES**

Do you know why these informal groups form? Chances are good that you have a "group" within your shift.

Mr. Grimes makes an interesting comment when he writes about the formation of the group. He says, "Although the whole person joins an organization, attention is usually focused on the partial person, the part of the individual doing the job. Because people have needs that extend beyond the work itself, informal groups develop to fill in certain emotional and psychological needs. The degree to which a group satisfies its member's needs determines the limits within which individual members of the group will allow their behavior to be controlled by the group."

Groups have rotational leadership. Leaders emerge from these groups and may change as the group's needs change. Informal leaders can be replaced – Grimes says "The informal group's judgment of its leaders tends to be quicker and more cold-blooded than that of most formal groups."

If you are willing to acknowledge that on your shift, you may have an informal group of which you are not necessarily a member, and that group has an informal leader, then how do you affect the group in a positive way, or move them toward a positive norm?

to affect a positive group norm or change? What problems might you encounter?

- The informal leader may be viewed as too close to or in-bed with management and lose support from the group who may select another leader.
- Replace the leader with another person (rotate out the informal leader or key members)

What factors might make this approach (as the only approach) problematic?

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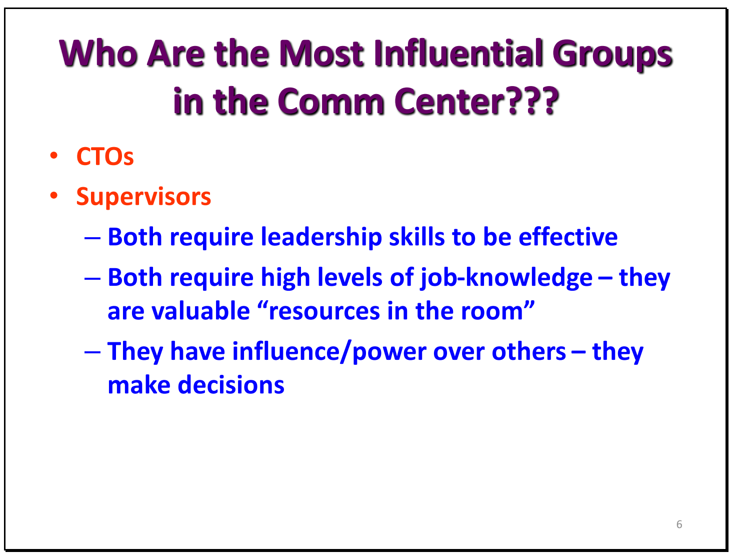

Aside from the informal group(s) that may form within a communications center, there are two groups we have identified within a communications center, who wield the most influence with employees. How important a role do you think you play in how your shift embraces the formalized values that your agency espouses? When we look at the pivotal role that the supervisor plays in the health, effectiveness, and culture of an organization we can make the argument that *you* and the way you manage your shift, has a *direct and significant* impact on the entire organization. If you don't believe that, you need only look around at the impact other shifts have on you and your workplace, either positively or negatively. It certainly affects your shift and those who report to you, but the way in which you *live* the day-to-day supervision of your shift is the reward you and your agency will reap.

Do you believe that you *can and would like to be* more effective in your work regardless of who you report to or who you supervise? One of the most important points we hope to make in this class is that you are responsible for your own choices (an old T4 adage), and as such, you can choose to use more effective behaviors, tools and techniques to handle your job.

You have all had work and life experience that may have demonstrated to you the importance of the first level supervisor in the workplace, as well as the trickiness of that position! You are the middle of the sandwich! You have superiors who are making demands of you and your time as well as subordinates who are making as many, if not more, demands for your attention and time. This doesn't even include *peers* who may need your attention and time. No wonder you feel as if you suffer from "attention deficit", everybody wants some attention from you and you only have so much to give. Our hope is that this course will give you a serious set of tools to store away in your supervisor toolbox that will help you manage the "attention deficit" you may feel, and help you be not only more productive, but happier and more comfortable in the middle of the sandwich!

Meet Your Team Activity

Individually take **5 minutes** to review the information you are being provided on your employee team. These are the employees that you will be working with throughout the course. Many of our activities in class will be with scenarios that involve your employees. Your work with them will provide you an experience in completing the duties and tasks of a supervisor while learning new skills.

You are also being given a blank documentation packet. This is for you to take individual notes as you work through assignments on your employees.

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Occupational Analysis Review Activity

In your pre-course assignment you were asked to review the Occupational Analysis and look at the duties and tasks. At your tables take **15 minutes** and share what you came up with as "agency-specific" duties and tasks and each of you provide one or two unique and effective methods to your table on how you have gained or maintained knowledge and skills to a duty or task. As a group, pick your top three to share with the whole group.

Looking across the task line, we see "Ensures Adequate Staffing". For many communication centers, this is a common and critical issue. As a supervisor you have a variety of resources at your fingertips to deal with the immediate solution of coverage. However, when long term or chronic unscheduled leave come up, there are potentially additional issues to address. In Unit 3 we will be talking about some basic HR issues. You'll be able to see what our HR expert says on the topic of unscheduled leave or sick leave, even though your own agencies may very well not subscribe to the same practice, it will at least give you an idea of what others can or will do to attempt to address the issue.
When we look at an issue such as unscheduled leave and the impact it has on our agencies, do you see any similar problem within your supervisory or management group? If so, what effect, if any, does it have on staff?

If it is a problem (supervisor abuse of sick leave), it is a poor role model for employees – you can't ask employees to stop sick leave abuse if you have supervisors or management staff involved in the practice. YOU MUST MODEL THE BEHAVIOR YOU WANT FROM YOUR SUBORDINATES AND PEERS.

Staffing and scheduling are two of the biggest tasks facing any supervisor.

Scheduling staff can be the most thankless task in the communications center, and the most critical.

Often we are trying to find how to get more out of less and how to cover gaping holes due to staffing shortages. A lack of staff may be a cause and effect situation.

Practices in the workplace can make it difficult to retain employees – lots of mandatory overtime is one of the killers. There are other issues that play into staffing (and thus scheduling) problems.

Look at "Evaluates Employees' On-shift Work Performance' – it is interesting to note that only one of the supervisor panelists who helped create the standard listed this as a critical component of the job. If that is the case, why have we been struggling over those pesky annual or twice-yearly performance appraisals?

In module B we will discuss some basic guidelines to performance appraisals and solutions to potential problem areas.

If you are unable to monitor the actual real-time performance, how many of you, either on your own or as part of an agency QA/QI program, randomly pull tapes or CAD entries, and review what folks are doing?

Look at A6 – Supports & Facilitates Change – interestingly enough, there are ZERO dots on this one. Does this mean that as supervisors, you rarely support change that is happening in your center, either through policy/procedure/practices changes, personnel changes, technology changes, etc.?

Does this mean that when change is about to happen, you do nothing, and just let it occur without comment or involvement with your subordinates?

Change Activity

Working in your groups, take **10 minutes** and identify how you would sell a change in procedure on how you make referrals to the Humane Society (example).

Currently, you tell a caller that the Humane Society deals with animal issues that are non-emergent. You provide them the phone number. The new procedure now has you entering a non dispatchable CAD call, obtaining RP info and information about the animal problem, as well as physically transferring the call. You believe that your shift will not want these added duties to their already-busy shift duties, but you have been told that your agency is in negotiations with the Humane Society to dispatch for them after hours and on weekends. It is anticipated that your agency will get 2 more FTEs as a result. You know that the additional 2 people will help the overall comm center workload, even though it will require more work for everybody, initially. You also understand that the reason for the new procedure is to keep track of the number of calls the agency is currently referring, and to show the prospective new client the quality of customer service they can expect to receive from your employees.

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Now let’s take a look at the duty identified by supervisors around the country, which is providing Employee Oversight – the first task in this duty is Facilitates Communication.

An interesting aside, this single “task” received more veteran-workers-need-training notations from the supervisor panelists around the U.S., than any other task in the entire analysis!!!!

For those of you who have taken Telecommunicator IV – Survival Communications [1], if you’ll remember, they cited research that looked at derailed executives – people who promoted into executive positions, but failed there. When compared to a group who made it to the top and succeeded, they showed many similarities and only a few differences. The ability or inability to understand other people’s perspectives was the most glaring difference. 75% of those who succeeded had a special people-ability. Only 25% of those who failed had that ability. We will talk much more about this component of Emotional Intelligence (Social Awareness and Relationship Management). The research on EQ – Emotional Intelligence, bears out this research finding. Other people are crucial to our success and our success is often based upon the managing of our emotions and our relationships with others.

The TRACOM Group (tracomcorp.com) which was co-founded by Dr. David Merrill, who developed the Social Styles Model used by the Bolton’s in their book People Styles at Work and People Skills, has a website devoted to TRACOM products based on the Social Styles Model. They have a link (http://www.tracomcorp.com/content/?content_template_id=18&content_item_id=19) that says: [2]”First-Time Supervisors”

> “It happens in every organization. Star performers are recognized for their technical expertise and promoted into management positions. Suddenly, their responsibilities require more than thorough knowledge of processes. Their success now depends on their abilities to interact effectively with those they manage.

According to a Manchester survey of 836 HR managers on the most common reasons new leaders fail, a good manager must have the ability to:

- Establish effective relationships with direct reports
- Effectively coach others
- Manage conflict
- Positively impact commitment of direct reports
- Manage change initiatives

- Influence or persuade others" (Remember the "Facilitates Change" task????)

Daniel Goleman, author of the bestseller *Working with Emotional Intelligence* said, "Successful managers must learn how to recognize the emotional intelligence of their staff and be able to adjust their own style to ensure a smooth working relationship."

Research by the Cutter Consortium, leading consultants in business and IT, shows that a lack of interpersonal skills is the main cause of leadership failure. Interpersonal skills include the leader's ability to build strong relationships internally and externally, and to motivate others.

The TRACOM Group's recent Managerial Success Study found that Managers with high-level interpersonal skills or versatility show significantly higher performance than their low-level interpersonal skill counterparts. TRACOM's research shows they are:

- 27% better at establishing effective relationships with direct reports
- 20% better at effective communication
- 22% greater ability to effectively manage conflict
- 22% greater ability to positively impact the commitment of his/her direct reports to the organization

There is a huge and thriving business in this country that deals with the issue of "communication". Look at the number of books on interpersonal and professional communication. We wouldn't need nor would be buy them if this was not a significant problem for people. It is one of the most problematic issues facing a supervisor.

You will have a book to read that deals with these issues and we will discuss these concepts in more depth in our next Module.

The next important task deals with – Mentoring Employees – the definition in Webster's Collegiate Dictionary is: A wise and trusted teacher or counselor.

Other duties identified by this group included Performing Administrative Duties which included:

Conducts employee counseling
Serves as an agency representative
Performs quality assurance processes
Investigates complaints or inquiries

Looking at the task of conducting employee counseling sessions let's take a few minutes and talk when you conduct an employee counseling session. We're only looking a general description of when and how you approach this task. In the Interpersonal Communications unit we will discuss more about how to talk to people in general and some ideas on ways of making your communication more productive and effective.

[1] People Styles at Work (1996) – Robert Bolton/Dorothy Grover Bolton – American Management Association-Publisher
[2] TRACOM products based on the Social Styles Model. Quoted from their webpage: http://www.tracomcorp.com/content/?content_template_id=18&content_item_id=19

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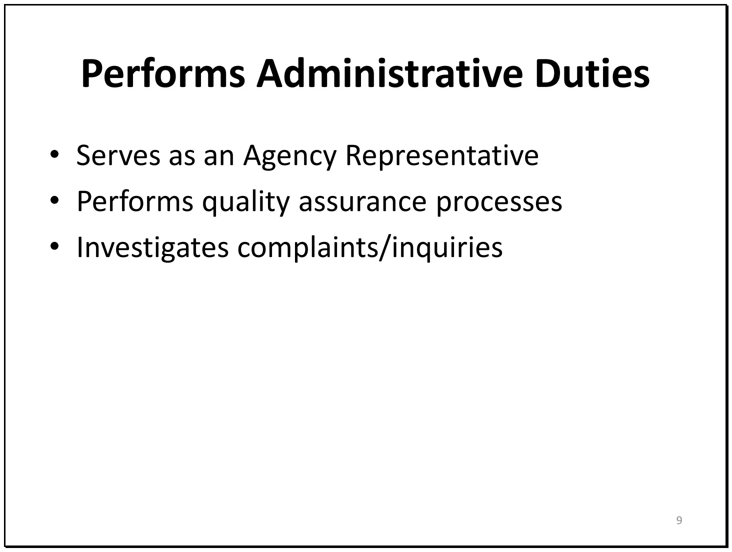

We will be looking at only a couple more duties and tasks identified by the supervisors who participated in the APCO process nationwide.

Take a look at **duty that states "Serves as an Agency Representative"** – The people you meet and interact with outside of your agency can help make you more effective, more promotable, and improve relationships for your organization. People you meet outside of the normal everyday workplace *can* play an important role, not only to your agency, but to your future as well. Other people really DO contribute to your success.

Supervisors or persons external to the communication center may be a point of contact when the need arises. It can streamline a process for requesting assistance or getting information. This works for you as well – YOU have a person whom you can contact for the same reasons.

You have the opportunity to build on or improve your agency's image with others.

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Quality Assurance or Improvement Programs

- Describe your program

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Another duty for may supervisor was "Performs Quality Assurance Processes".

QA Activity

Working in your groups, take **10 minutes** and review the event provided on your employee, completing the QA form. Together complete one QA form and add to the employee file.

Short C/I Activity:

Working in your groups, take **5 minutes** and list the steps you take when you conduct an inquiry or investigation of a complaint. Try to be as comprehensive as you can.

Debrief and compare to the curriculum information.

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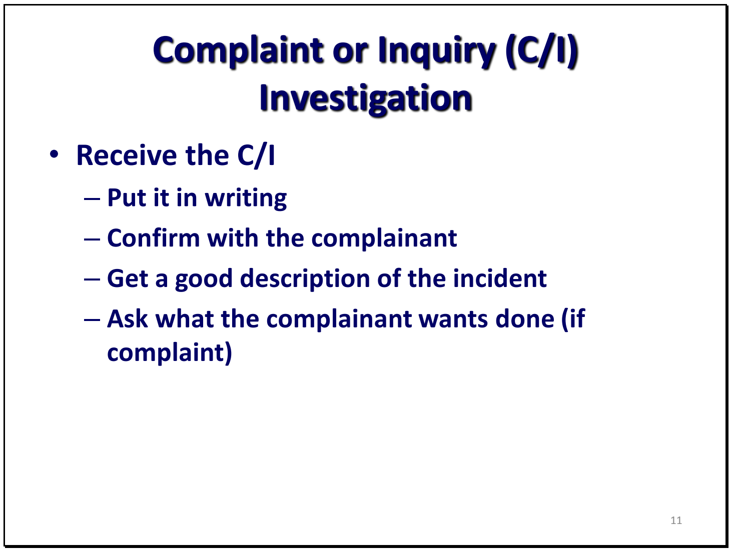

Here is what our HR expert has given us as one template for complaint or inquiry investigation:

Steps to Consider When Doing a Complaint Investigation or Inquiry

Receipt of a written or oral complaint

- If oral, immediately reduced to writing
- Confirmed by the complainant, if possible
- Description of the issue, problem, or question to be investigated
- The complainant's desired outcome or remedy

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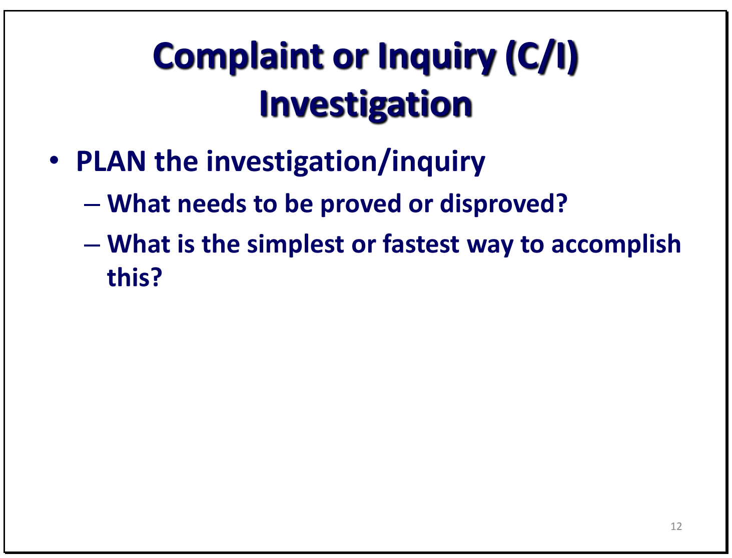

Planning the investigation – what to do, in what sequence?

- What needs to be proved / disproved?
- What is the simplest, fastest way to do this?

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Complaint or Inquiry (C/I) Investigation

- Information gathering
  - Review of written records – personnel files, time cards, work schedules, call records
  - Use of relevant audio/video tapes, transcripts, printouts
  - Thorough interview with the complainant

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Information gathering

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- Use of relevant audio/video tapes, transcripts, printouts
- Thorough interview with the complainant

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Complaint or Inquiry (C/I) Investigation

- Interviews, statements, or affidavits from witnesses and others involved
- Re-interview to eliminate inconsistencies
- Thorough interview with the "accused"
- Assuring interviewees' confidentiality
- Weingarten Rights

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Interviews, statements, or affidavits from witnesses and others involved

- Re-interview to eliminate inconsistencies
- Thorough interview with the "accused"
- Assuring interviewees' confidentiality
- Weingarten Rights
- We'll discuss Weingarten rights more in Unit 3

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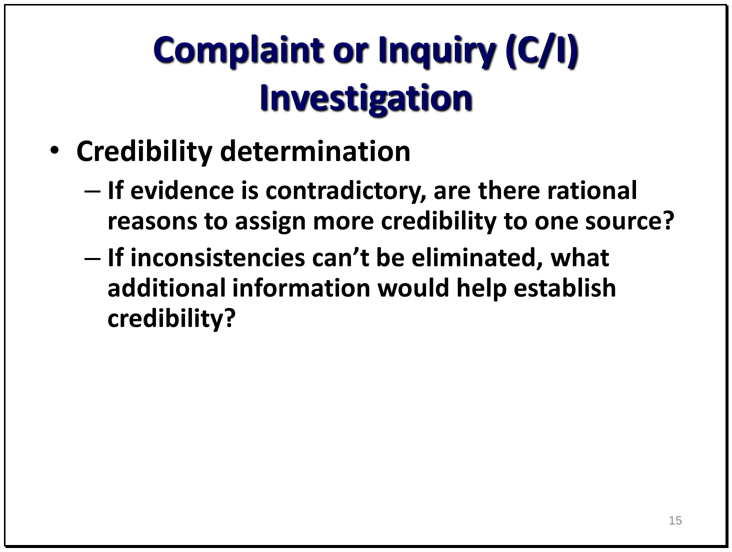

Credibility determination

- If evidence is contradictory, are there rational reasons to assign more credibility to one source?
- If inconsistencies can't be eliminated, what additional information would help establish credibility?

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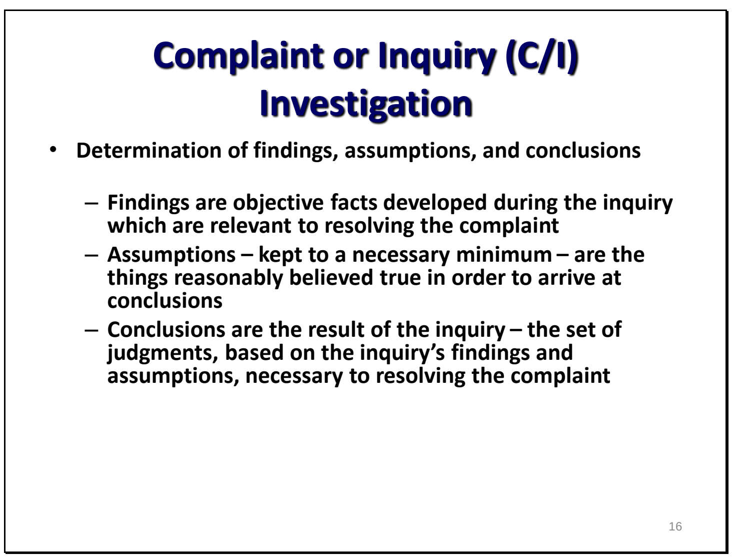

Determination of findings, assumptions, and conclusions

Findings are objective facts developed during the inquiry which are relevant to resolving the complaint

Assumptions – kept to a necessary minimum – are the things reasonably believed true in order to arrive at conclusions

Conclusions are the result of the inquiry – the set of judgments, based on the inquiry's findings and assumptions, necessary to resolving the complaint

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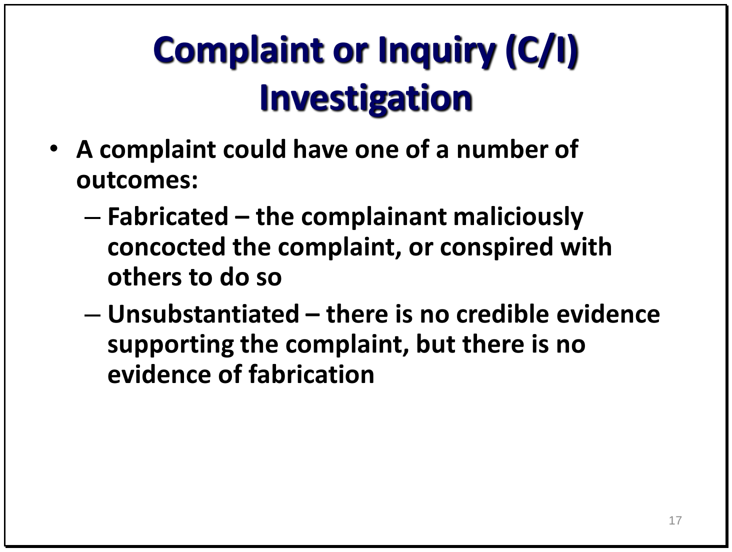

A complaint could have one of a number of outcomes:

Fabricated – the complainant maliciously concocted the complaint, or conspired with others to do so

Unsubstantiated – there is no credible evidence supporting the complaint, but there is no evidence of fabrication

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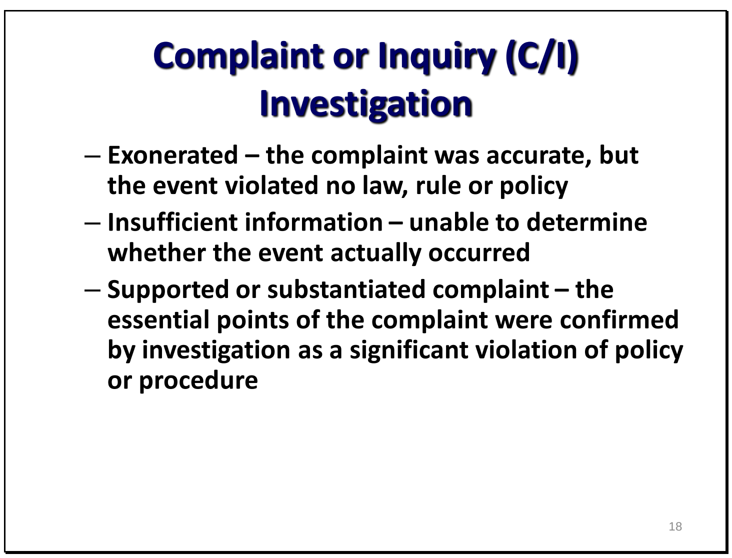

Findings continued:

Exonerated – the complaint was accurate, but the event violated no law, rule or policy

Insufficient information – unable to determine whether the event complained of actually occurred

Supported or substantiated complaint – the essential points of the complaint were confirmed by investigation as a significant violation of policy or procedure

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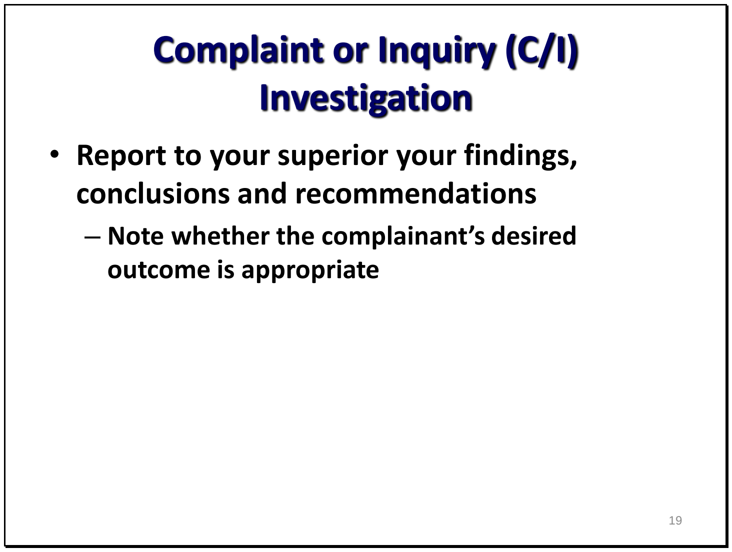

Report to your superior your findings, conclusions and recommendations
Note whether the complainant's desired outcome is appropriate

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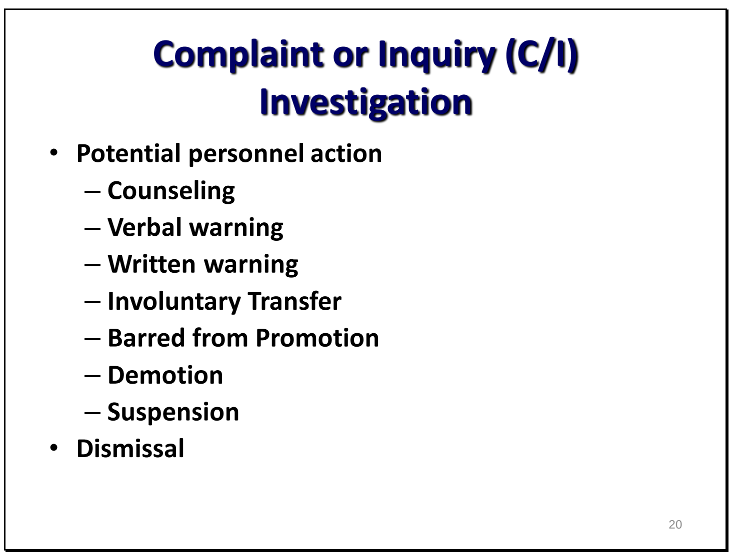

Potential personnel action

- Counseling
- Verbal warning
- Written warning
- Involuntary Transfer
- Barred from Promotion
- Demotion
- Suspension
- Dismissal
- Other

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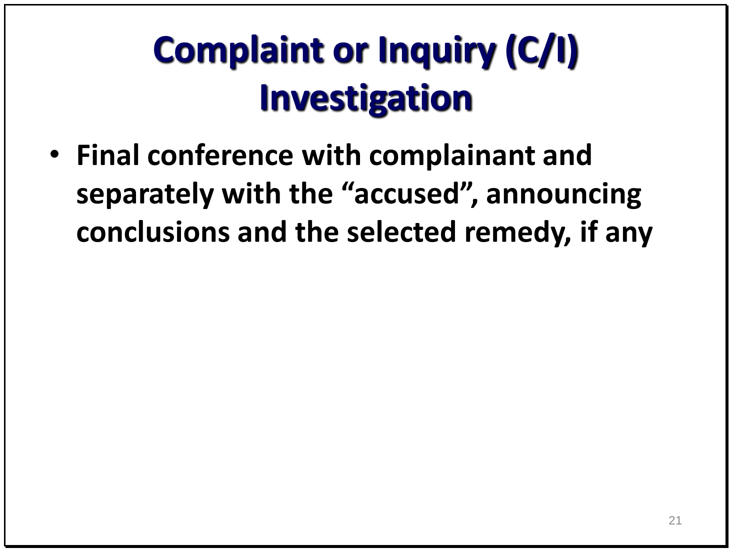

Final conference with complainant and separately with the "accused", announcing conclusions and the selected remedy, if any.

How many of you ever contact the person who brought the issue to your attention, particularly if it came from a user agency or the public?

Depending upon the seriousness of the finding, you may be directed not to contact the complaining party, however, if the complaint is not of a serious or critical nature, do you contact the complaining party?

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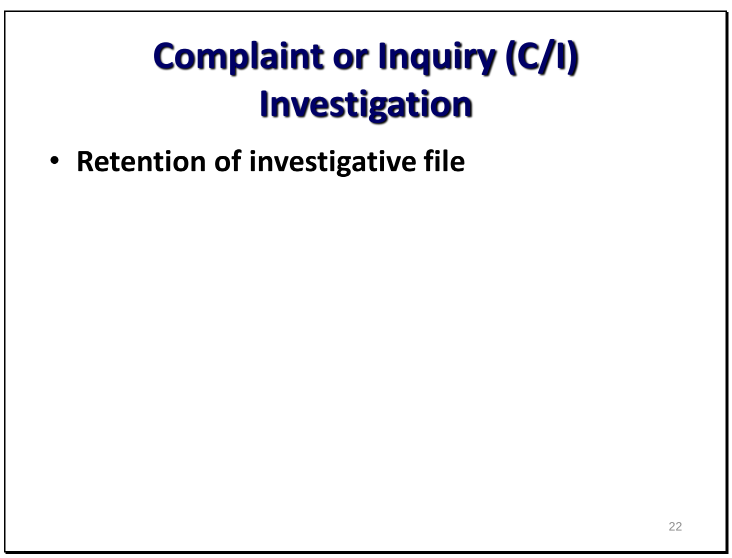

Retention of investigative file (See Unit 3 – Supervisor file)

Some additional questions come to mind when we talk about the details of handling inquiries or complaints. We've asked an HR expert to answer a few of our questions:

Q; Can supervisor's handling investigations actually promise employees confidentiality? When would a supervisor NOT be able to do that?"

A: The degree of confidentiality promised, and separately the degree of "immunity from prosecution" for self-incrimination, depends on the importance the supervisor attaches to each witness's candid statement.

If a thorough investigation is judged more important than disciplining the witness for his/her misdeeds (or for not reporting the misdeeds of others) then swallow hard and offer complete immunity and confidentiality.

If you don't need the witness's candor quite that badly, offer no immunity – just insist that the employee cooperate in the investigation or suffer the consequences. ("Pat, tell me honestly what I need to know, or I will do the extra work to get the information from other sources. I can probably get it by promising confidentiality to other employees who don't need a promise of immunity. Then you'll be subject to discipline for your original misconduct, PLUS your interference in this investigation.")

Another technique is to "plea bargain" with the witness. Offer a minimal discipline for the admitted misconduct, one the witness agrees not to grieve or appeal. ("Pat, I hear that you saw Eric steal from petty cash, but failed to report it as policy requires. Tell me what you saw Eric do, and I'll just give you an oral reprimand for "failure to follow proper procedure", although you deserve a five-day suspension.")

Q: If an employee gives self-incriminating information, let's say on a fairly significant policy violation, but the supervisor has told him/her that the information will be kept confidential, etc., where does that leave the supervisor?

A: It leaves the supervisor duty bound to keep the info as confidential as practically possible. Again, communications between members of management are privileged: the supervisor could report the admission to a superior along with the need for confidentiality. Further, confidentiality is not the same as a promise of immunity from consequences. ("Pat, I'm not going to tell anyone what you did, but if you do that again, I'll come down on you like a ton of bricks.")

Bottom line: decisions about confidentiality and immunity in an investigation are MORAL and PRACTICAL questions, not legal ones. If the supervisor breaks a promise of confidentiality and passes along the witness's statements with attribution, there's little the "outed" witness can do about it. No grievance, no defamation lawsuit. However, YOUR credibility could very well be damaged. To openly violate a witness's confidentiality or promised immunity could very likely make the NEXT investigation much more difficult.

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Complaint Investigation Activity

You have **30 minutes** to review the employee information; determine actions you would need to take. Part two will be provided once you have initial list completed. Identify additional tasks and/or actions you will take.

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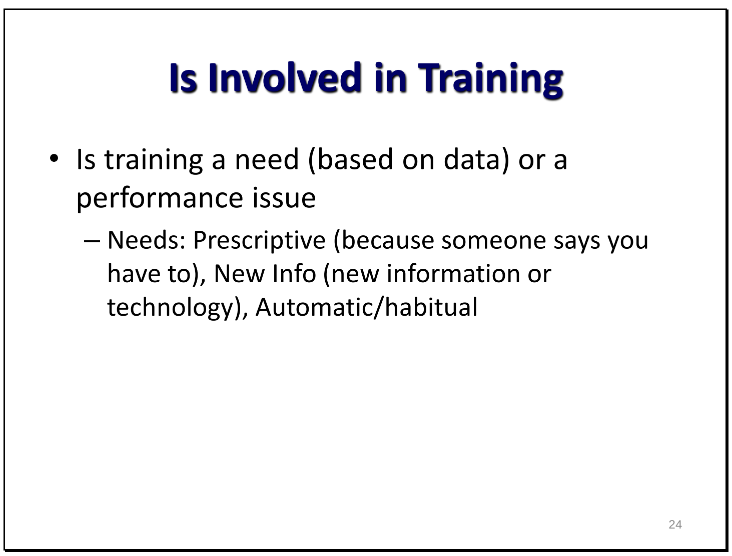

Let's look at the topic of a supervisor dealing with training.

Performance and Needs Analysis

Something we would like to encourage you to think about when you are looking at the performance of employees on your shift: Performance vs. training needs. Performance needs are usually the focus of your observation of individual employees – you want to observe what they're doing right as well as what they could be doing better.

Performance needs are those that specifically address an individual's job performance; do they follow policy, procedures, guidelines and protocols? Do they have positive workplace interactions with co-workers; are they part of a successful team? Are their skills up to the acceptable - "George" level for those of you who have taken the CTO class – are they meeting performance standards? If the answer is "no" or not always, this is an individual performance issue. Remedial training or additional training may be needed. Employee coaching, counseling and observations are used to assist the employee in improving performance. Normally on an individual performance need, there is a gap between the performance competency of the individual and the level of performance you want him/her to reach. This can happen when an agency doesn't see the difference between a performance issue and a real training need.

[1]There are several initiators of training – we're using the model used in the Master Trainer Program conducted by EMI/National Fire Academy:

Performance Problems

New Systems, Information, or Technologies – you get new equipment, you have a new, complicated procedure, or you take on a new area and need to train people on the geography of the area, etc**.**

Automatic or Habitual – perceived as necessary because it's always been done that way – in-service/continuing education to maintain certification is one example
In a performance and needs assessment we define "needs":
Normative needs – can be described as discrepancies between an actual condition or state and a desired standard. A failure of a performance test is an example of a "normative need".
Perceived needs are simply what people consider their needs to be. Employees may believe that they "need" to know how to use a computer based upon what they've read or seen on TV.
Relative needs are concerns about equity of services. If others receive a particular training class, other employees may believe that they "need" it too.

Prescriptive needs are differences between present affairs and publicly prescribed goals. If the Police Chief announces that all employees will receive 10 hours of customer service relations training, you have a "prescriptive" need.

Training needs are a bit different than individual performance issues. Training needs can also be determined by your monitoring of employee behaviors and on-shift performance; however, they often involve a larger group of individuals who need assistance in coming up to the requisite performance level, or when dealing with new information.

Performance issues can arise from a number of causes. You need to measure where the "desired" performance is, where the actual performance is and measure the "gap".

The difference between a subordinate who lacks customer service skills and an agency that, in general, operates with a limited expectation of employees treating customers well, is an example of the difference between a performance assessment (one or two individuals whose performance isn't meeting the mark) and a training need (a large percentage of employees aren't meeting a mark- new or old mark and should benefit from training).

This is a *training need*. Supervisors are generally in a better position than management or even a training coordinator, to see trends and areas where training may be called for. The other individual within a comm center who is in one of the best positions to detect these training needs is the custodian of records or person who routinely makes CDs or tapes for prosecutors, detectives, or for public disclosure. In many centers, the supervisors may be responsible to handle tape requests.

Either way, the odds are good that you are listening to recordings of telephone and radio communications. You are in an excellent position to note performance and training issues.

[1] **Emergency Management Institute's "Performance and Needs Assessment" -602 – FEMA/NFA**

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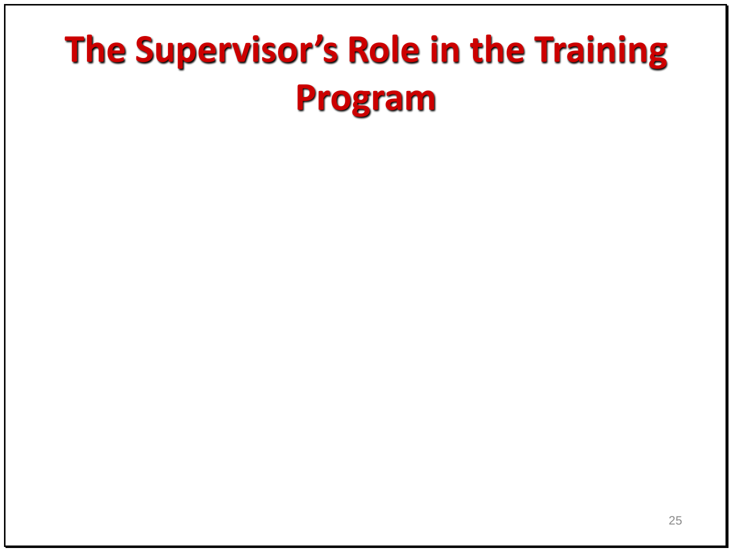

What about your relationship to the CTO or training program?

If your agency has a formal training program, supervisors should be involved in the process. Agencies may have supervisors providing direct feedback to trainer/trainee. If this is true, it is very important that you are trained to understand the role of the CTO, what should or should not be happening and be able to give feedback and assistance as needed. Even if CTOs normally report training issues to a coordinator, odds are that the coordinator is not always present or available when training issues arise. If you are not up-to-date on training issues you can help create a fairly common problem, that is where trainees are being trained to a policy or procedure that is articulate in the training program, but which is no longer applicable or used by the agency. These gaps of information occur when a program is created, but not updated frequently enough.

We strongly encourage you to attend a CTO course. It is beneficial for supervisors to understand the concepts offered there in order to be more effective in monitoring training as it occurs on your shift. These courses will help the supervisor gauge whether or not individual trainers are hitting the mark for consistency in training. Few people are in a better position than the supervisor to evaluate how well a training program or trainer is doing.

Do you have any problems with "hazing" or other types of behaviors where new employees are expected to "prove" themselves to co-workers? Part of the responsibility of an effective supervisor is to ensure that a safe and comfortable working environment is maintained.

How can you monitor of consistency from one trainer to another? This is a CRITICAL component of a training program.

As we discussed earlier, there is a need to select trainers and mentors carefully. Supervisors should be part of this process. You are the individuals who see the day-in and day-out performance of your employees. You KNOW who your top performers and role-models are. It is important the supervisors be able to weigh-in on this process. Their fair and impartial input can be invaluable for the selection of the right people. CTOs are the other group within an agency that wield a lot of influence over co-workers. You want to make sure that you are picking people who have the most positive influence possible. The careful, thoughtful selection, training, and monitoring of trainers is one way to begin the process of improving the culture and effectiveness of an agency.

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Summary

26

Summary Wrap-up

It is clear that the role you play in your centers is not only pivotal, but extremely influential as well. Supervisors set the tone and the standard for their shifts. Their attitudes, values, and modeling of behaviors tell subordinates what is acceptable or unacceptable in the work place. We are talking about things other than labor contracts or agreements; we are talking about the day-to-day reality of managing numerous tasks and people.

Because of the amount of reading and study you have done around the topic of leadership, it is important to reflect how often the "people" development piece ends up missing from our daily lists of "things that must get done". After we have had a chance to explore the HR basics piece in the next unit, we will want to spend more time on looking into the "people" factor we're talking about. Our jobs are much more than just a series of to-do lists, even though we can sometimes become overwhelmed by how much there is to do!

Unit 2 References:

APCO -Minimum Training Standards for Public Safety Communications First-Level Supervisor
Accel-team.com – Advancing Employee Productivity – Cliff F. Grimes
TRACOM.org – Social Styles Model
ACCEL-Team.com, Cliff F. Grimes
FEMA/EMI/NFA Performance & Needs Assessment course 602

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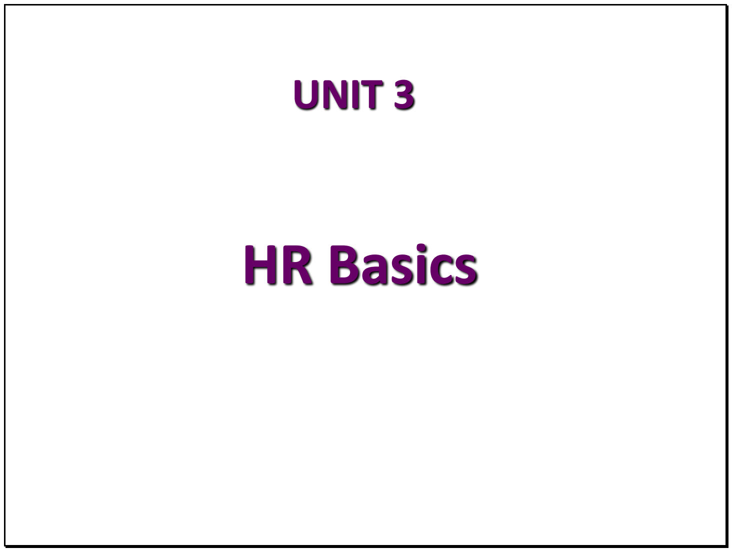

Objectives:

By the end of this module the student will be able to describe the basic human resource principles dealing with supervisory issues including:

- FLSA, FMLA, & Workers' Compensation
- Discrimination, Harassment, & Whistleblower Program.
- Medical Privacy
- Disability and Reasonable Accommodation
- Basic Union Rights
  - Weingarten Rights (Right to shop steward present)
  - Loudermill rights (Civil Service)
  - Garrity
- Personnel Files/Supervisor Files
- Correcting Tardiness, Absenteeism, & Sick Leave Abuse
- Just Cause & Progressive Discipline
- When to contact the HR Office

Source: Greg Baxter, PhD. – HR Manager, Washington State Criminal Justice Training Commission

In this unit, we hope to provide some *basic, generic* information on HR practices in Washington State. The caveat here is that *agency, governmental authority and HR departments, and labor contracts may vary*. These are general areas where supervisors may become involved in HR issues. The most important concept in this discussion is to ***know when to call your HR professional*** for advice, process, or to answer questions based upon your agency's policies.

We'd like you to view this unit as an effective practices set of guidelines. They are meant to give you information to help navigate your world, but they are not meant to be absolutes. Your agency will determine which of these practices they embrace. While we consider these effective, there may be other issues with your agency or organizational philosophy that may be somewhat different.

The other thing to note here is that this is a section on basic HUMAN resources – sometimes managers or supervisors are perceived as missing the *human* element. As you read through this information, we would like you to begin to formulate in your mind where those important principles of leadership about which you've been reading, come into focus here. Every one of these topics has a human element to it that calls out for leadership skills, not just an understanding of HR principles, but the *application* of the principles in an effective way. To be involved in discipline of a subordinate without consideration of the *person* involved, not just the policy violated, misses the point. You can discipline effectively when you provide real leadership through the process.

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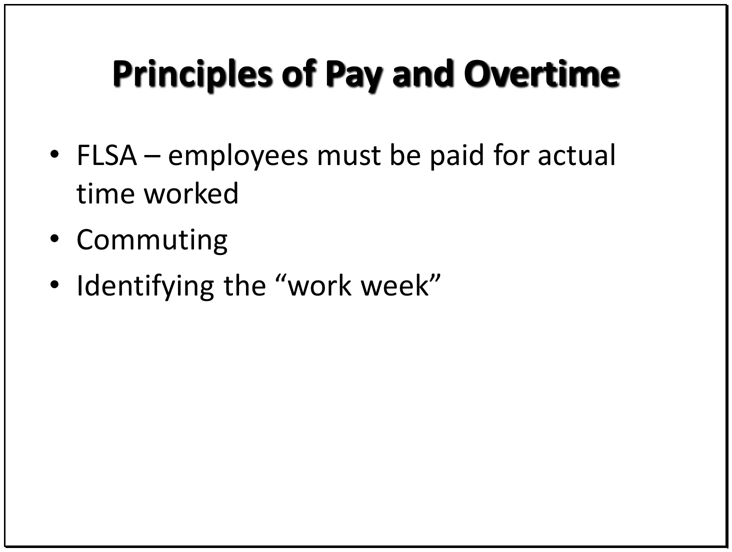

Here are some areas about which supervisors need to have information:

Principles of pay, overtime, and "exempt" (Fair Labor Standards Act - FLSA)
Employees must be paid for all time actually worked, even time not approved by the supervisor. [Example: an employee "clocked out" for an unpaid lunch period who works while eating lunch – even if ordered not to - is "on the clock" and must be paid – and can also be disciplined.]

- Employees commuting to/from their regular workplace are never paid or considered "on the clock". Employees driving to/from a customer or other "alternate worksite" are "on the clock".

- If an employee works more than 40 hours in any seven-day workweek, the employee must be paid 1.5 times his/her regular hourly rate for any time in excess of 40 hours. Some agency policies and union contracts count sick leave, holidays, and other paid time off as hours "worked". The law does not forbid mandatory overtime; some union contracts restrict that.

- Each workweek stands alone: you cannot merely reduce the employee's time in a subsequent workweek to "balance" the hours so the employee does not exceed 80 in a pay period. This rule does not apply to police and firefighters, but <u>does</u> apply to other employees of PDs, Sheriffs, and FD's.

- Some management, administration, sales, and technology employees are exempt from the overtime rules, and paid a flat salary regardless of hours worked. Only an HR professional can analyze a job and verify whether it meets the complex rules for exemption.

- No law *requires* overtime or other premium pay rates for night shift, weekend or holiday work. Agency policies and union contracts often grant such premium pay.

- No law *requires* that employers provide paid vacation, sick leave, or holidays for employees. Agency policies and union contracts usually include those, with details on how employees earn them and use them.

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Worker's Compensation
L&I

- On-the clock/on-the-job injuries
- Employees have a legal duty to promptly report injuries that require medical attention
- What, if anything, does your union contract say about time off for workplace injuries?

Workers' Compensation (in Washington - L&I)

- Employees injured while "on the clock" are entitled by law to medical treatment at no cost and wage-continuation benefits for lost time. Workers Compensation rules strongly favor employees; the trade-off is employees who receive Workers Comp benefits can never sue the employer for workplace injuries, no matter how serious.
- Employees have a legal duty to promptly report workplace injuries that require medical attention.
- Employers are prohibited from retaliating against employees for claiming workers compensation benefits, or for missing work due to a workplace injury or its treatment.
- Some agency policies and union contracts treat time off for a workplace injury differently from other sick leave.

It is imperative that supervisors thoroughly understand the process for handling on-the-job injuries or L&I claims.

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Discrimination & Harassment

- Discrimination – acting on the identifiable differences among people
  - Race, color, sex, age (older than 39), ethnic ancestry, religion, citizenship, marital status, sexual orientation-gender identity (in Washington state)
  - Employers should have an effective discrimination/harassment complaint resolution process

<u>Discrimination & Harassment</u>

Discrimination means "acting on the identifiable differences among people". Discrimination is a key duty of supervisors, since employers should not hire, promote, or dismiss <u>indiscriminately</u>. Practices to watch: Which applicant has the right skills and should be hired, which employee has excessive absences and should be disciplined, or which employee has the highest seniority and can't be laid off? There are a few specified "differences among people" which legislatures have prohibited from being included in employment decisions. Federal and state laws prohibit employers from giving any consideration to race, color, sex, age (if older than 39), ethnic ancestry, religion, citizenship, or marital status in employment decisions including hiring, classification, pay, benefits, assignment, promotion, demotion, discipline, layoff, selection for training, or discharge.

Washington and some other states prohibit discrimination based on sexual orientation or "gender identity".

- Employers are prohibited from discriminating "unreasonably" against employees with disabilities. See the section on Reasonable Accommodation.
- <u>All</u> races and <u>both</u> sexes are protected against discrimination that is based on race or sex.
- Employers must ignore customers' preferences for being served by employees of a certain race, and *usually must ignore customers' preference for being served by employees of a certain sex*
- Applicants and employees may complain of discrimination to local or state Fair Employment Practice (FEP) agencies (such as Washington's Human Rights Commission) or the federal Equal Employment Opportunity Commission (EEOC). *Complaints filed more than 180 days after the allegedly discriminatory act are dismissed as untimely*.
- A complaint is usually investigated by only one agency, which might <u>not</u> be the agency where the complainant filed. FEPs and the EEOC have "work-sharing agreements" to determine who processes a charge.

Generally, complaints of discrimination are best investigated and resolved internally by the employer. If an employer has an <u>effective</u> discrimination and harassment or complaint resolution process, EEOC and FEPs defer to that system, and will often dismiss complaints which employees did not give the employer a chance to resolve. An effective complaint resolution system is one that promptly investigates and resolves complaints while protecting complainants against retaliation.

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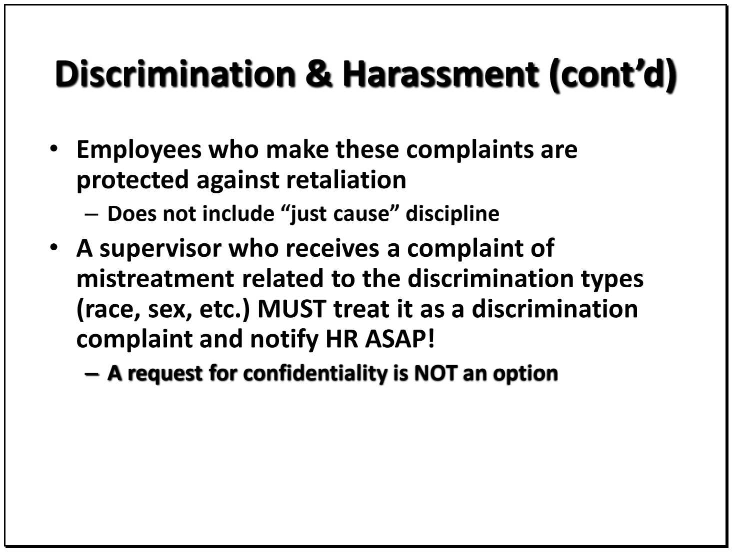

An employee who complains internally or to EEOC or a FEP about illegal discrimination is protected against retaliation for that complaint, even if eventually the complaint is unproven.

The prohibition against retaliation does not prevent an employer from imposing "just cause" discipline on the complainant for misconduct unrelated to filing the complaint. Nor does it prevent a complainant from being disciplined for fabricating a complaint or lying during the investigation.

Any supervisor who receives a complaint of mistreatment related to race, sex, age, etc. must treat it as a discrimination complaint even if the complainant does not use the words discrimination or harassment. The supervisor must promptly discuss the complaint with superiors or HR officials, as set out in agency policy. It is important to anti-discrimination agencies and to employees that the employer follows its own published complaint resolution process.

If the complainant requests the supervisor to keep the complaint confidential and do nothing about it, the supervisor must explain that inaction is not an option: the employer has a duty to act, even against the complainant's wishes.

Any of the prohibited factors – race, sex, age, religion, etc. – can be the basis for a complaint of harassment, and harassment on those factors is prohibited by law.

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Discrimination & Harassment (cont'd)

- Harassment becomes unlawful discrimination only when it would make a reasonable "like" person want to quit or avoid the harasser in ways that interfere with work
  - When it persists despite complaints or policies against it
  - When it pervades the workplace
  - Is repetitive and cumulative
- **Preventing the PERSISTENCE of misconduct is the key to preventing real harassment**

Harassment does not mean merely that the employee was offended by some conduct; courts have repeatedly ruled that anti-discrimination laws are not meant to prevent hurt feelings, only to prevent unlawful discrimination. Harassment becomes unlawful discrimination only when it would make a reasonable person of the complainant's rank, experience, seniority, and race or sex or religion, etc., want to quit or try to avoid the harasser in ways that interfere with his/her work getting done.

Further, harassment is unlawful only when it persists despite complaints or policies prohibiting it, or it "pervades the workplace", becoming one more condition of employment. Harassment is essentially repetitive and cumulative: courts have almost never found a single act to be unlawful harassment unless it involved physical contact.

Employers can and should investigate and resolve complaints of conduct that falls short of the definition for unlawful harassment. Preventing the persistence of misconduct is the key to preventing real harassment.

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Medical Privacy

- Supervisors/Managers ARE entitled to know employee's medical conditions and medication
  - The information IS confidential and should not be posted to the employee's official personnel file
- HIPAA restricts employers *only from requesting medical information* DIRECTLY from the employee's health care provider
  - It does not prohibit employers from demanding that the employee obtains the medical info nor does it allow health care providers to refuse the information to the patient
- Employers can deny certain benefits to employees who fail to submit the required medical evidence

Medical Privacy

Supervisors and managers are entitled to know employees' medical conditions and medication, entitled to demand medical evidence from employees, and entitled to order employees to medical examinations. The information obtained is confidential and should not posted to the employee's official personnel file.

The Health Insurance Portability and Accountability Act (**HIPAA**) restricts employers only from requesting medical information directly from employees' health care providers (and prohibits health care providers from complying with the requests). HIPAA does not prohibit employers from demanding that their employees obtain the medical information, nor does it allow health care providers to refuse medical information to their patients. Employers can deny disability accommodation, FMLA leave, sick leave, Workers Compensation, and other benefits to employees who fail to submit the required medical evidence.

Questions posed to our resident HR Manager/expert:
Some Questions and Answers about Medical Privacy and Sick Leave Usage:

Q: Is there a state or federal law, statute, or regulation that applies to this? If an employee appears physically "affected" in some way on the job, possibly due to medication, can the supervisor ask the employee (verbally or in writing) to state what type of medication s/he is taking?

A: **There is no law specifying that the employer has the power to insist on knowing if an employee is medicated except HIPAA, but both OSHA and the Drug-Free Workplace Act (and state equivalent laws) assign the employer the general duty to prevent impaired workers from posing a danger to themselves and others.**

Q: Can you provide an example of when it would be appropriate for a supervisor to ask an employee about a medical condition?

A: **"Supervisors and managers are entitled to know employees' medical conditions and medication, entitled to demand medical evidence from employees, and entitled to order employees to medical examinations."**

The source of that "employer authority is HIPAA, ADA, FMLA, WLAD, workers compensation law, and the Drug-free Workplace Act.

When any employment law requires the employer to confer a benefit (leave, transfer, reasonable accommodation, etc.) on someone ill, injured, or disabled, that law requires the employer to base its decision on the best available *medical information*: not the *employee's* belief that he/she is impaired; not the *employer's* belief that the employee isn't impaired. Employers must rely on medical diagnoses and opinions of health care providers acting within the limits of their license. Since the employer must rely on medical information in making certain decisions, it *can* compel the employee either to provide it or forego the benefit.

Some reasons to inquire:

- **When the employee appears UNUSUALLY loopy, unsteady, accident-prone, vacant, irritable, or unfocused**
- **When peers or customers complain of same**
- **When an employee known to be recovering from an illness or injury returns to work, even if they don't yet exhibit symptoms**
- **When the employee appears physically impaired from usual levels of performance, or has to call on peers frequently for assistance**
- **When a pattern of absenteeism or tardiness emerges**

Q: What about policies or practices that require an employee to bring in a doctor's note about illnesses (for example, illnesses lasting more than 3 days)? Does that information normally go into the employees personnel file?

A: It could, as long as it doesn't specify the medical condition ("John is fully recovered from the flare-up of his herpes and can return to duty"). Usually best to keep the note in the *"supervisor file" and tell payroll or superiors, "John provided me the required return-to-work note".

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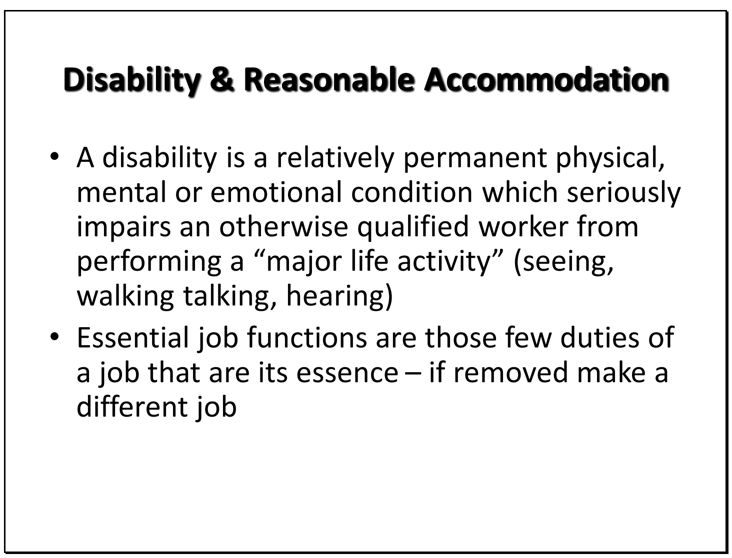

In federal law (The Americans with Disabilities Act – ADA) a disability is a relatively permanent physical, mental or emotional condition which seriously impairs an otherwise fully qualified worker from performing a "major life activity" (seeing, walking, talking, dressing, feeding oneself, working, etc.). Some state laws (including Washington's) apply a broader definition of disability.
Current abuse of alcohol, illegal drugs, or prescription drugs is not a disability.

"Essential job functions" are those few duties of a job, which are its essence, the reason for its existence, the tasks which – if removed – make it a different job.

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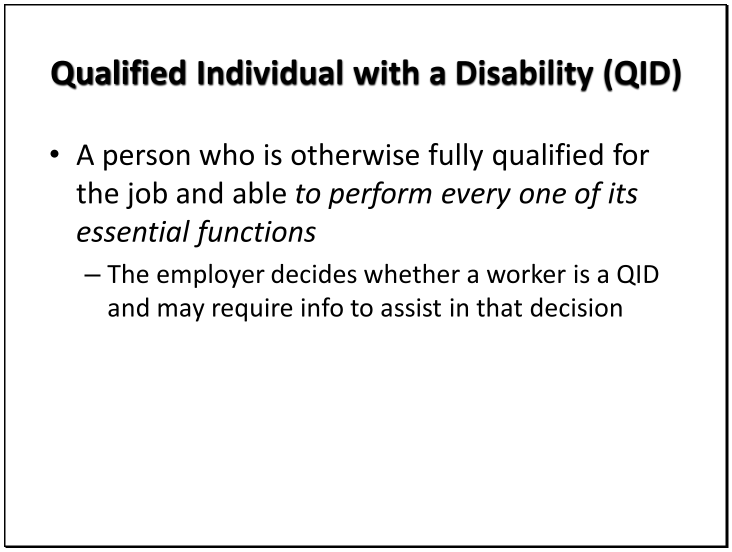

ADA protects and grants rights only to a **Qualified Individual with a Disability (QID)** – a worker with a disability who is otherwise fully qualified for the job, and able to perform every one of its essential functions without posing a danger to himself or others. The employer unilaterally decides whether a worker is a **QID**, and may demand medical information to assist in that decision.

If a worker or applicant is a **QID**, he or she may request an accommodation necessary for that worker to perform a job task or more easily access the workplace. Accommodations may include equipment, revised schedules or rest periods, minor job restructuring, wheelchair ramps, TTY telephones, etc.

Accommodations never include eliminating *even one* of a job's essential functions (since an employee who can't perform <u>all</u> of the essential functions is not a **QID**, and is not entitled to accommodation). The employer has a legal duty to <u>consider</u> providing a requested accommodation or an alternative, and a duty to discuss accommodation with the **QID**.

Unless the employer finds that a requested accommodation involves an "undue hardship" in expense, inconvenience, or violation of a union contract or statute, it is a "reasonable accommodation" and must be offered. The reasonable accommodation offered need not be the one the QID requested, but may be an alternative which provides the same effect.

A revised work schedule – if not an undue hardship - may be a reasonable accommodation; lengthy absence from work is not. The ability to report to work as needed is an essential function of all jobs; those who cannot attend work are not **QIDs**.

Employees who formerly had impairment (e.g., recovered stroke victims, cancer survivors, recovered alcohol or drug abusers, diabetics or bipolar disorders now controlled with drugs) need not be accommodated, but cannot be discriminated against in employment decisions because of their <u>record</u> of impairment.

Q & A's: We asked our resident HR expert (he testifies as an expert witness on labor law around the country!) some questions that may arise within a communications center. In most cases, these are questions that will be handled by your HR department, but this is information that you may find useful to you just in order to have an awareness of the issue.

Q: One of the ways employees are dealing with mandatory overtime is that they come in with a doctor's slip (or go through the entire FMLA process) and find a medical reason why they can't work beyond their 8-10 hour schedule or work a particular shift. Does an employer have to make accommodation to an employee (eliminating overtime) who says they can't work more than their prescribed shift – even though the working of overtime was a job requirement/duty?

A: There is always some apparently minor item that looms large for a specific employer or occupation.

Two part answer, since FMLA was mentioned:

To get FMLA, the 1-year + employee must get the doctor to certify they're INCAPCITATED from working, attending school, or even performing normal daily activities (driving, cooking, etc.). Not just feeling uncomfortable, but PROSTRATE! That is unlikely to be true for only a few hours per day, but not other hours. Intermittent FMLA is usually for chemo, radiation, dialysis, exams, doctor visits (or driving a child to any of those).

Now, on to accommodation … The employer unilaterally assesses which job duties are "essential job functions"; the employee's opinion is irrelevant. If the employer has constructed a workforce that cannot operate if employees can decline overtime, then it is reasonable to say "ability to work unpredictable hours" is essential to the jobs. QIDs who want accommodation must provide medical evidence that a specific, feasible accommodation will allow them to work while performing all essential job functions. No employee may demand the <u>elimination</u> of an essential job function, and no doctor's recommendation to do so is valid (the employer, not the doctor, decides what's essential).

If the employee wants - and the doctor recommends - limiting work hours, then it remains the employer's unilateral decision whether such an accommodation presents an undue hardship (too expensive, imposes on other employee who must now work even longer, reduces public safety, violates the union contract).

ADA imposes a duty on the employer to DISCUSS possible accommodations with the QID. If the QID insists during the discussion that nothing will do but a reduced work schedule, she is painting herself into a corner.

After considering and discussing the accommodation request, the employer *can* respond, "Working as scheduled, including mandatory overtime is an essential function. Your <u>inability</u> to work as scheduled means that you are not a QID. You insist that nothing except eliminating an essential job function will meet your needs. We find your requested accommodation is not "reasonable", and your impairment disqualifies you from at least one essential function of your current job. We invite you to consider these other currently vacant positions where overtime is not essential. We will transfer you and hire a replacement that can perform all the position's essential functions."

Case law that may apply in this question:
"Public Service Telecommunicators, Overtime, and "Reasonable Accommodation"

Q: Can telecommunicators use disability accommodation under the Americans with Disabilities Act (ADA) or Washington Law against Discrimination (WLAD) to avoid mandatory overtime and fluctuating hours?

A: Almost certainly not. Federal and Washington courts have said so. The key cases are the 11th Federal Circuit's Davis v. Florida Power & Light (FPL), and the Washington Court of Appeals' Davis v. Microsoft.

A schedule change or a limit on work hours can be a "reasonable accommodation" for <u>some</u> disabled workers, but not for <u>all.</u> Accommodation is available only to "qualified individuals with a disability" (QID) which WLAD and ADA define as disabled workers who can, with or without reasonable accommodation, perform all job duties the employer designated as

essential. Washington and federal appeals courts have consistently ruled that if the worker cannot perform *even one* essential function, the employer has no duty to accommodate. Davis must show either that he can perform the essential functions of his job without accommodation, or, failing that, show that he can perform the essential functions of his job with a reasonable accommodation. Thus, if Davis is unable to perform an essential function of his job, even with an accommodation, he is, by definition, not a "qualified individual" and, therefore, not covered under the ADA. In other words, the ADA does not require FPL to eliminate an essential function of Davis's job. Therefore, the first issue is whether mandatory overtime work is an essential function of the position.

Microsoft argues that, as a matter of law, the overtime worked by Davis was an essential function of his job that the company was not required to eliminate. An employer's duty to reasonably accommodate a disabled employee does not include elimination of an essential job function.

Overtime is not "essential" just because the employer says so to a disabled worker. Davis v. FPL specified a checklist of factors which would legitimately make mandatory overtime an essential function of a job, and Washington adopted that list in Davis v. Microsoft:

- **The employer's judgment about what's essential to the job;**
- **The contents of the job description or employment advertising;**
- **How frequently the function occurs;**
- **The operational and financial costs of not requiring the employee to perform the function;**
- **How the collective bargaining agreement addresses the function;**
- **The past and current experience of other employees performing that job.**

In both cases, the court noted that employer evidence showed that all other employees performing the job were required to work substantial overtime, that there was no inexpensive alternative for the employer if overtime were eliminated, and that the necessity for overtime was known to the plaintiff before taking the position and before becoming disabled.

In Davis v. FPL, the court also noted that the union contract specified that FPL must assign mandatory overtime based on seniority, and that accommodating Davis would violate the contract. [There was no union contract in the Microsoft case.] The 11th Circuit expressly rejected EEOC guidelines which claimed that employers can and must violate union contracts to accommodate disabled workers. Every federal circuit court has rejected EEOC's view of that issue. Union contract provisions about overtime supersede ADA or WLAD.

Therefore, if a Telecommunicator job description, employment ad, or union contract specifies mandatory overtime is necessary, and non-disabled Telecommunicators actually work substantial overtime, and public safety or operational efficiency would be diminished if mandatory overtime were eliminated from those jobs, then mandatory overtime is an essential job function.

Any Telecommunicator providing medical evidence that he/she cannot perform as scheduled or must limit their work hours is confirming that they are not a QID, and are entitled to no accommodation under ADA or WLAD. Such employees might be transferred (in accordance with any union contract) to other positions where mandatory overtime is not essential.

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Basic Union Rights

- Non-management have the right to form or join a union
- Collective bargaining unit (CBU)- the list of job titles agreed upon before the election

All non-management workers have the legal right to discuss forming or joining a union, to actually form or join one, and to refrain from forming one. Supervisors must avoid interfering with the exercise of those rights, except to insure that they do not take place on paid work time. Do not talk to employees about unions, nor inquire who is in favor of unions, nor spy on employee meetings about organizing.

Federal or state labor relations agencies oversee secret-ballot union-recognition elections after 30% or more of employees sign cards requesting an election. If offered one or more signed cards by employees or union organizers, decline to look at or even touch them. The union organizers must show the cards to the labor relations agency, not to the employer. If you examine the cards, the union can petition for immediate recognition even without an election.

A **collective bargaining unit (CBU)** is the list of job titles (not people) agreed upon before the election as having sufficiently similar pay, benefits, job qualifications, and working conditions that it forms a "community of interest" which could operate under one union contract. A work location may have none, or one, or many **CBUs.** If a union is voted in by a majority of **CBU** employees who show up to vote, it becomes the "exclusive bargaining representative" for all employees in the **CBU** – including those who didn't vote or who voted against it.

Once a **CBU** is unionized, management can no longer unilaterally set policies nor negotiate with those individual employees. The employer must negotiate with the union representing each **CBU**. Employees no longer file complaints; the union files grievances on behalf of the member.

Union membership is voluntary; only dues-paying union members can hold union office or vote on internal matters. **CBU** membership is not voluntary; everyone who holds a job in the **CBU** is represented by the union and covered by the contract. In many states, including Washington, unions collect mandatory "representation fees" from non-union-members in the **CBU**, and regular dues from union members. All **CBU** employees must continue to pay dues or fees to keep their jobs. In "right to work" states, employees may hold **CBU** jobs without paying dues or fees.

Employers must negotiate a written contract with the union, establishing mutually agreeable rules about wages, work hours, and "conditions of employment" like safety, disciplinary policies, layoff procedures, and seniority. Public sector contracts typically deny the union the right to strike.

Typically, contracts offer the most benefits to employees with the longest seniority – higher wages; protection against layoffs; and preference for promotions, overtime, and vacations.

The employees or union officials choose the union's day-to-day spokesperson: the shop steward. The steward is a regular employee in the **CBU**, who occasionally clocks out to perform union duties (process grievances, attend hearings). The union pays the steward for conducting union duties.

When the union believes the employer has violated a provision of the contract, it files a grievance with the employer. Grievance processing, usually with multiple steps and deadlines, is always described in the contract.

Weingarten Rights: When the employer interviews a **CBU** member about something that could lead to that employee's discipline, the employee may insist that the steward or other union official be present. *The employer need not remind the employee of that right*, but must allow union representation on request. The union rep can assist the employee in answering, but cannot answer for the employee, nor order the employee not to answer, nor interfere with or delay the investigation.

Q: Do ALL states in the US give workers a legal right to join a union? What are right-to-work states? I hear about them all the time and have no idea what that means.

States are largely irrelevant in employees' right to unionize, because federal law preempts any state law to the contrary. States can limit only the items public employees can negotiate IF they unionize: Washington still has a public employee no-strike rule, and had to write new RCW's in 2002 to allow state employees to negotiate wages, previously forbidden (paving the way for the 2005-2007 WFSE contract).

In the early 1950's Congress passed the Taft-Hartley amendments to the National Labor Relations Act, allowing state legislatures to pass – or not pass – laws prohibiting mandatory dues. In "right-to-work" states, unions can be voted in, contracts must be negotiated, and non-public workers have the right to strike. The key difference is that even if your job is in the bargaining unit, you can decline to pay dues, and the union must still provide you EXACTLY the same protection and service as if you paid dues and were an active member (must process your grievances, assist you in Weingarten or Loudermill situations, etc.). Still, if you don't pay dues or join the union, you can't vote on union business or be a shop steward.

People in a bargaining unit who don't pay dues, but have all the benefits of the negotiated contract, are called "free riders".

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Documenting Good and Poor Performance

- Document rather than try to remember
- Be even-handed about what you record, but more scrutiny can be applied to probationary employees or employees on formal warning or performance plans

Documenting good and bad performance and important incidents

A principle duty of supervisors is to note the good and bad performance of subordinates – to recommend disciplines, commendations, or promotions; to include in performance reviews; or to address with training or job counseling.

Documenting performance is always better than trying to remember it. Supervisors should have a process for recording significant incidents of subordinates' good or bad performance: pen and ink files, word processor documents or spreadsheets, e-mails, etc., comfortable in the knowledge that the records are secure. ***Employees and unions have no right to review "supervisory files",*** even if they can review the official personnel file. If a supervisor discusses the supervisory file with another member of management, that is a "privileged communication" which cannot be the basis for a complaint, grievance, or defamation claim.

Supervisors should be even-handed about what incidents are recorded. But more scrutiny and lower tolerance for misbehavior can be applied to probationary employees and to employees on formal warning for prior misconduct.

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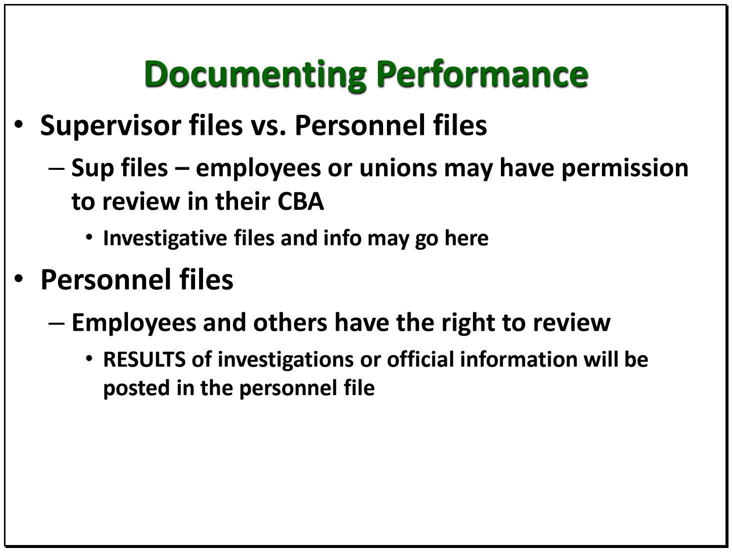

Supervisors should occasionally review each subordinate's supervisory file, to detect patterns and trends in performance and attendance which can be addressed without formal discipline.

Supervisor Files vs. Personnel Files

Q: What is the difference between a personnel file and a supervisor's file that one keeps on subordinates? What content is appropriate for each? Does an employee have a right to view a supervisor's file, say being kept for purposes of performance appraisals? Can s/he copy information contained in that file?

The supervisor's file on an employee is privileged. This file is utilized by the supervisor to track recent performance in order to complete a well-rounded annual performance appraisal and monitor performance trends. **More often, CBAs have clarified the guidelines for employees or unions to review these files. <u>You will need to know if your CBA allows for review of supervisory files.</u>**

There is a reason the "official file" is official: only official stuff gets posted there, and it might be made public – the RESULTS of investigations, the RESULTS of monitoring employee performance and attendance. Let's say Jane is accused of theft, the complaint, the investigation notes, and the evidence might be in the confidential supervisor file.

Jane's eventual written reprimand is in the official file.

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Personnel File Info

- OFFICIAL Information
  - Immigration forms
  - Employment app and offer letter
  - Correspondence about promotions, etc.
  - Emergency contact info
  - Records of commendations or disciplines
  - Performance reviews
  - Documents on seniority or anniversary date
  - Enrollment for benefits
  - Training records
  - Licenses & certifications
  - Authorization for outside employment
  - Signed acknowledgements for policies and key training

Usual Official file contents:

- Employment application and offer letter
- Immigration Form I-9
- Correspondence about promotions and transfers
- Emergency contact info
- Records of disciplines and commendations
- Performance reviews
- Documents on seniority and Periodic Increment Date
- Enrollment for benefits
- Training records
- Licenses and certifications
- Authorization for outside employment
- Signed acknowledgements for key policies and training (harassment, whistleblower, etc.)

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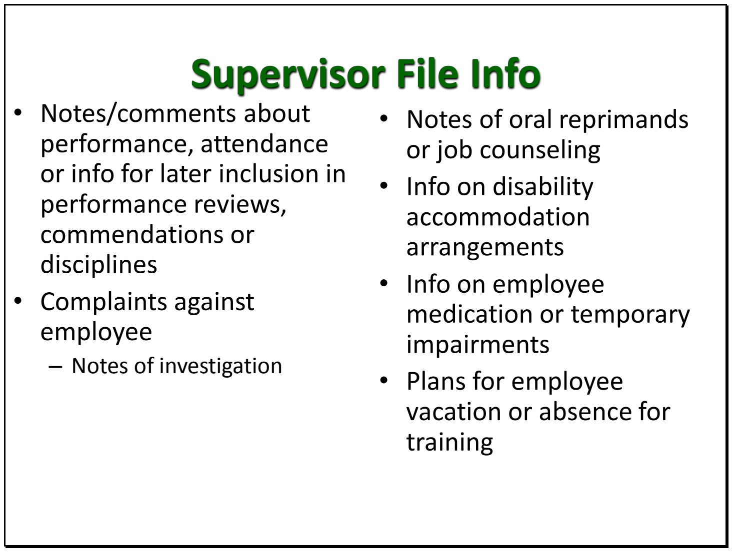

Things that may make up the supervisor file:

- Notes and comments about performance and attendance, for later inclusion in performance reviews, disciplines, or commendations
- Complaints against the employee
- Notes of investigations
- Notes of oral reprimands or job counseling
- Info on disability accommodation arrangements
- Info on employee medication or temporary impairments
- Plans for employee vacation or absence for training

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Family and Medical Leave Act (FMLA) Rights and Protections
Almost all employee absences due to illness or injury require the supervisor to consider whether FMLA applies. Employers have a short time-frame – usually two business days - for informing an employee whether an absence will be considered FMLA leave.

FMLA is a complex civil rights law which does not apply to all employers or employees. Coverage depends on work location, tenure and medical condition.

- Location - All public agencies, regardless of size, are covered by FMLA, but all locations are not. FMLA applies to employees in locations where the agency employs 50 or more employees within a 75-mile radius. That means FMLA may not be available in small offices of large agencies.
- Tenure – In covered locations, employees are eligible for FMLA once they have worked for the employer for one year and have worked at least 1,250 hours in the preceding 12 months.
- "Serious Health Condition" – [This definition is unrelated to ADA's definition of disability.] Employees are entitled to FMLA leave and protection only when diagnosed as entirely incapacitated from working, attending school, or performing regular daily activities dues to a medical condition, its treatment, or recovery. Employees may also take FMLA leave when a doctor certifies that they are needed to assist with the care of a spouse, son, daughter, or parent with a serious health condition ("entirely incapacitated …")A serious health condition is one which requires admission overnight to a residential health facility, or four or more consecutive full days of diagnosed incapacity while being actively treated by a health care provider, or absences for treatment of a chronic medical condition (e.g. chemotherapy, dialysis, physical therapy for arthritis) Childbirth – FMLA leave is available when an employee is incapacitated by pregnancy or giving birth. FMLA leave is available to fathers whose wives (legally married) are incapacitated by pregnancy or childbirth. Certification – FMLA leave is available only when a health care provider certifies to the employer that the employee (or spouse, parent, or child) is – or will be - incapacitated. The employee must promptly provide the certification the employer requires, or be denied FMLA protections. If the need for FMLA is foreseeable, the employee must provide the certification 30 days in advance of the absence. In emergencies, the employee or health care provider provides the certification as soon as possible. When all of these conditions are met, the employee must be granted FMLA leave for up to 12 weeks (or 480 hours) in a one-year period. The absences cannot be held against the employee in performance reviews or absenteeism disciplines. The absences can be paid or unpaid leave as provided in agency policy or a union contract. FMLA leave is often taken

"intermittently", a few hours or days at a time (e.g. for radiation, chemotherapy, or follow-up tests). Once the employee has exhausted FMLA leave, subsequent absences are unprotected, and may lead to discipline. An employee who has exhausted FMLA but needs intermittent time off might be able to establish that he/she is a **QID** who needs time off or a revised schedule as an accommodation. The employer then decides if that is reasonable or an undue hardship. An employee entirely incapacitated from working is never a **QID**.

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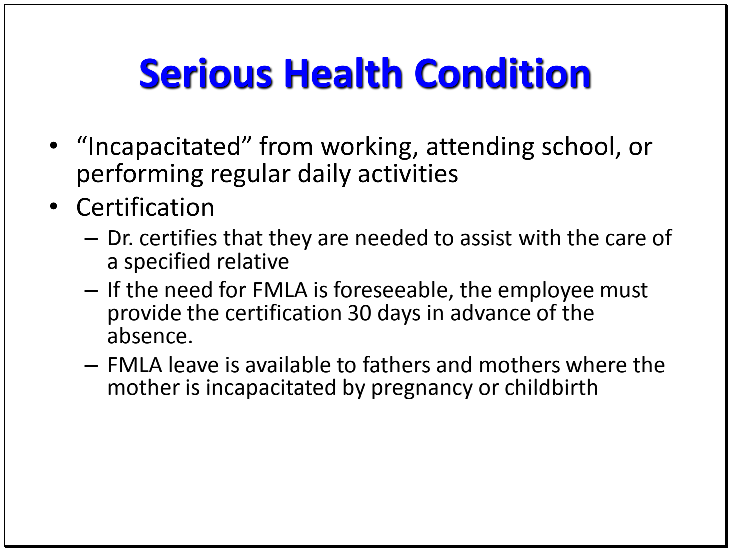

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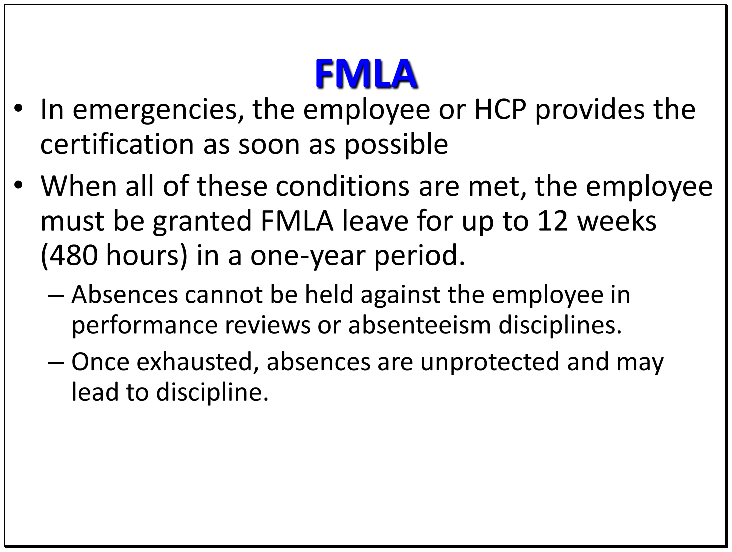

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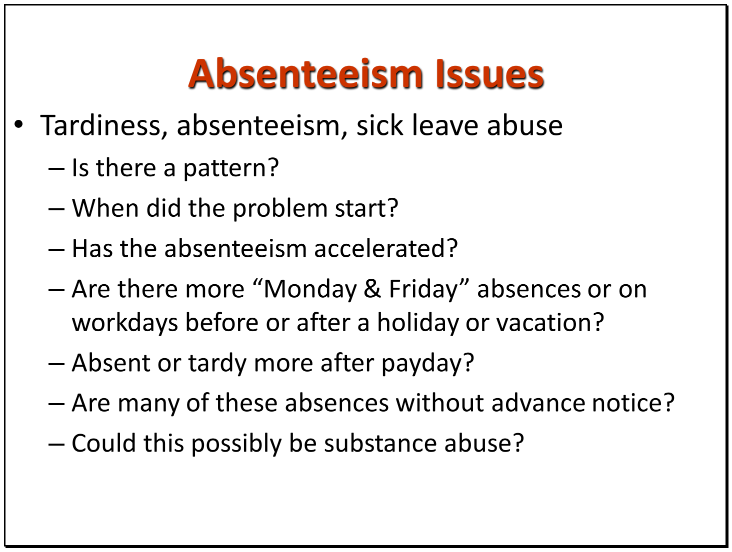

Correcting tardiness, absenteeism, and sick leave abuse

Failure to report for work as scheduled may have causes external to the workplace or internal. External causes – outside the workplace – include family problems, unreliable transportation, illness or injury, substance abuse, school attendance, or a second job. Internal causes include poor co-worker relations; being the victim of perceived harassment or bullying; safety concerns; an inconvenient work schedule; or the perceived unfairness of a recent discipline, transfer, performance review, or pay raise.

Often, it is revealing to review an employee’s absences and tardiness for obvious patterns. When did the problem start? Has the attendance problem accelerated? Are absences most often on Mondays or Fridays or the workdays before or after holidays? Is there often absence or tardiness the day after payday? Are many absences without advance notice? Those are often signals of substance abuse.

If policy requires a doctor’s note or return to work exam for sick leave of X days, does the employee frequently claim sick leave of X-minus-1 days, to avoid proving the need for sick leave? That signals sick leave abuse.

After detecting that there is an attendance problem, the first step in correcting it is to discuss with the employee what the real causes of the problem are. Offer to keep the discussion as confidential as you can. Supervisors should remove any causes that are within their control, if that is possible. They should support employee efforts to deal with other internal or external causes (by eliminating harassment, referring the worker to an Employee Assistance Program, granting FMLA leave, etc.).

Some internal and external causes of attendance problems cannot be removed, and the supervisor must impress on the employee the need to take responsibility, cope with the problem, and work as scheduled -- or face the consequences.

Discussions about employee attendance problems should be documented in the supervisory file, and discussed with superiors or HR. Note that inviting a CBU employee to discuss an attendance problem may trigger Weingarten Rights, since the employee has reason to believe that discipline is likely.

If an employee with a documented attendance problem does not show significant improvement immediately after the informal counseling, the supervisor should prepare to impose progressive discipline.

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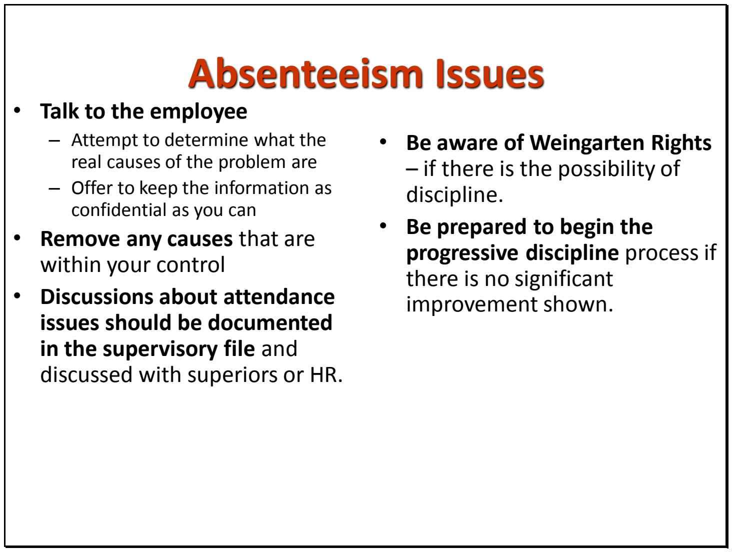

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Give me examples of what some issue might be that are guised as sick leave?

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Just Cause & Progressive Discipline

- Employers must have a rational belief that there has been employee misconduct based upon a reasonably thorough & impartial investigation.
- Progressive discipline is a sequence of disciplines from mildest to harshest
  - If the employee responds to a discipline, no further action may be required

Just Cause and Progressive Discipline

Employers are expected to discipline employees only for "just cause": when there is a valid reason to do so, when there has been verified misconduct or deficient performance.

A key legal factor in just cause is that employers are not obliged to be right about employee misconduct when deciding to discipline. Employers must have a rational belief that the employee is guilty, based on reasonably thorough and impartial investigation. *Judges and arbitrators decline to reverse disciplines because of after-the-fact evidence of employee innocence that was not available to the employer when deciding on discipline*.

"Progressive discipline" means that the employer is prepared to impose a sequence of disciplines from mildest to harshest if an employee does not respond properly to milder discipline. If the employee responds properly to a mild discipline, no further action is required. A typical sequence of disciplinary steps includes oral reprimand, written reprimand, suspension, demotion, and dismissal.

Employers are not bound to any sequence. Severe misconduct might justify immediate suspension or dismissal. An employee who has received several reprimands for different acts of misconduct might advance directly to dismissal on the next offense.

In fairness – and to make progressive discipline effective - milder employee disciplines should include a "jeopardy statement" warning the employee that continued misconduct or deficient performance will lead to harsher discipline.

Agency policies and union contracts often provide employees appeal rights: the opportunity to show that the discipline had no "just cause", or the opportunity to argue that the discipline was too severe.

Loudermill Rights – When a government employee faces involuntary termination, s/he must be given an opportunity – prior to the effective date of dismissal - to hear from the employer the cause for the dismissal, and to plead his/her case. This is not a trial or formal hearing, but is often called a Loudermill hearing. Bargaining unit (union) employees must be allowed union representation upon request at this conference.

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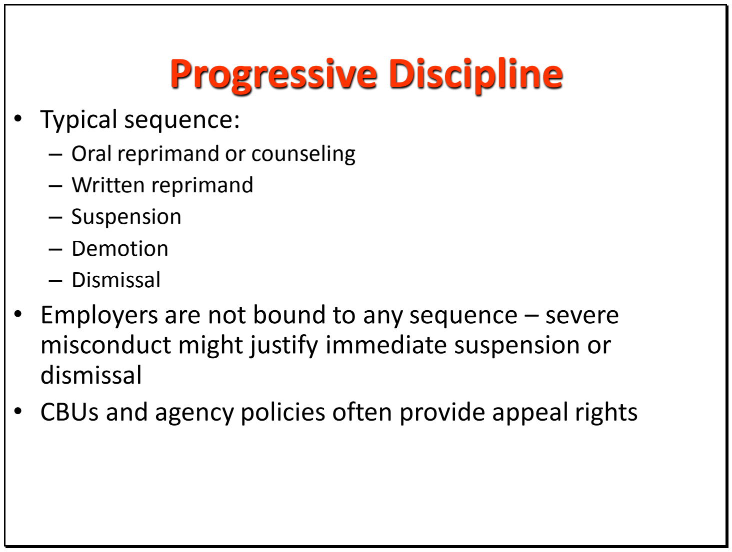

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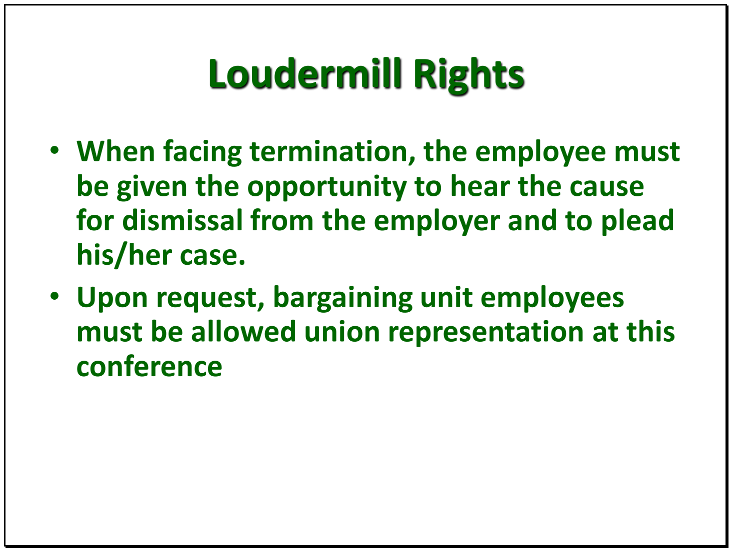

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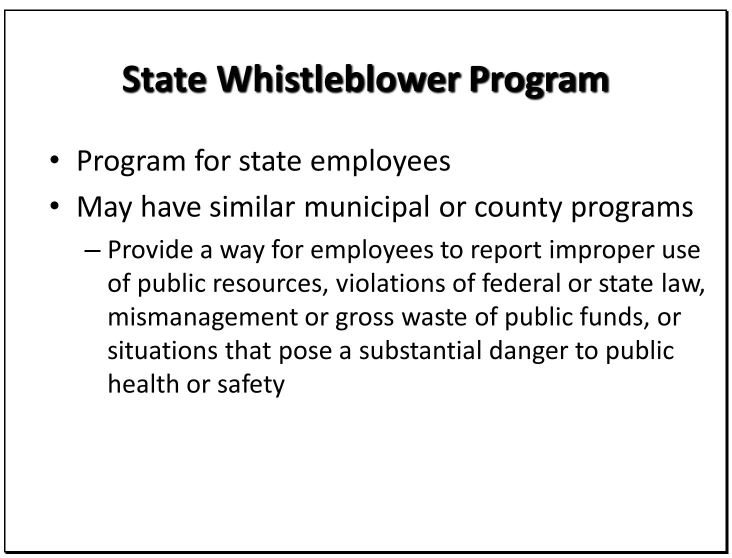

Whistleblower Program (State)
If you become aware of any state government official –at a state agency - performing official duties in ways that:

- Divert state resources to personal benefit, or
- Result in mismanagement or gross waste of public funds or resources, or
- Violate federal or state law, or
- Pose a substantial danger to public health or safety

- Then you should report it to responsible state officials.

If you do not think you can safely report allegations of improper governmental actions through your superiors, or believe that nothing would be done about your complaint, then consider the Whistleblower Program.

You can file assertions of improper governmental activity in writing with the State Auditor's Office, using the Whistleblower Reporting Form, or a letter. In either case, the report must be made within one year of the incident, and should include:

A detailed description of the improper governmental action(s);
- The name of the employee(s) involved;
- The agency, division, date, and location where the action(s) occurred;
- Details important to proper investigation -- witnesses, documents, and evidence;
- If you know it, the specific law or regulation that has been violated;
- Your name, home address and phone number. You may file anonymously, but if you do include your name it will be kept confidential and you will be protected against retaliation.

The Auditor's Office will promptly review complaints, and will initiate investigations when justified. The whistleblower, if he/she gave a name, will receive a copy of the investigation's findings.

The Whistleblower Program is not designed to review personnel actions (other appeal and grievance processes exist), or actions authorized by law as within the agency's discretion, or the private conduct of state employees unrelated to their official duties.
For details about the Whistleblower Program, reporting forms, and contact information, click http://www.sao.wa.gov/Whistleblower/index.htm

Under certain circumstances a whistleblower can report improper governmental action(s) involving local government to the State Auditor's Office.

The Local Government Whistleblower Act, Chapter 42.41 RCW, requires each local government to have a policy in place that establishes an appropriate person to receive and investigate reports of improper governmental action. If the local government has failed to follow state law by not establishing a whistleblower policy, the whistleblower can submit a report to the county prosecutor's office. If the local government hasn't established a policy, and if an employee of the county prosecutor's office is named as the subject of the improper governmental action(s), then the whistleblower may file a report with the State Auditor's Office **(RCW 42.41.030(6))**.

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<u>When to contact the HR Office for advice:</u>

- When an employee brings a discrimination or harassment complaint
- When you suspect that union organizers are contacting your non-unionized employees
- When an employee insists that he/she worked overtime you did not know about.
- When an employee reports a workplace accident long after the fact
- When you suspect sick leave abuse
- When you believe an employee's absence may qualify for FMLA leave. (see above)
- When an employee asks for disability accommodation
- When you receive a union grievance or the threat of one
- When an employee invokes Weingarten Rights (see above)
- When you need to discipline an employee who recently filed a grievance or a discrimination or harassment complaint

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Questions & Answers

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Unit 4 – Leadership & Ethics
What type are you?

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Objectives

- By the end of this module the student will be able to:
- Identify the role of the supervisor in employee development
- Given actual or hypothetical scenarios describe the importance of ethical behavior and professional conduct
- Explain the three components of the ethic process as described by George Mazzeo
- Describe the four pairs of preferences in the book What Type Am I?
- Explain effective approaches for the various preferences
- Determine effective approaches to utilize with various personality styles
- Describe the three skills used by situational leaders as described in LOMM
- Explain the four basic Situational Leadership Styles as described in LOMM
- Explain the use of a Partnering for Performance game plan
- Demonstrate the ability to develop a PFP game plan

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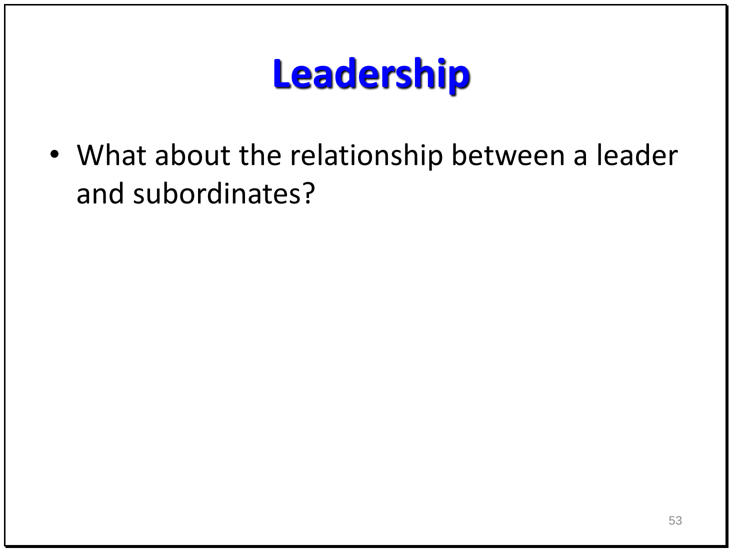

You have done considerable reading on the topics of leadership, ethics, and personality types through the pre-course assignments. You have all read Ken Blanchard's *The One Minute Manager - Increasing Effectiveness through Situational Leadership* and George Mazzeo's *Sleeping Dogs*. Working in your groups, take **5 minutes** and come up with any broad duties that might not be reflected here in the Occupational Analysis and which deal with the duties a supervisor has toward subordinates as it relates to leadership. I'm looking for ideas you should have gleaned from the pre-course reading. These should be duties that deal with the professional environment in which your subordinates work and which the supervisor can affect.

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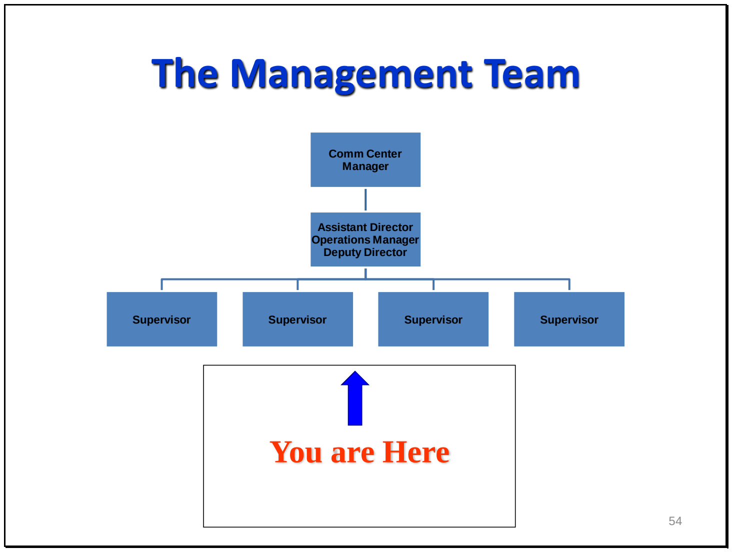

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The job of an effective supervisor is a difficult one. Often there is little preparation, training, or mentoring given to you. We often focus on the common "tasks" that are non-people related. We focus on scheduling, paperwork, documentation, etc. Supervisors deal with employee "brush fires" and sometimes the negativity and conflict that can occur in any workplace. However, how often do you as supervisors, when faced with a huge list of tasks to handle during your shift, think about the duty owed to your subordinates, to help them develop as employees and achieve professional success?

Are you encouraged to think about your subordinates as a critical asset that needs to be attended, nurtured, developed, and managed?

You have read Ken Blanchard's *Leadership and the One Minute Manager* as an introductory book on leadership skills. In the book, they make a clear statement that the most important resource you have in your organization are the people you supervise. In the next module you will continue your development of leadership concepts.

Was every supervisor you worked for effective? Why or why not?
When we looked at the Occupational Analysis in Unit 2, we talked about Knowledge, Skills, Duties and Tasks. We left out the important piece about Traits. Let's discuss non-effective and effective traits in supervisors. These don't have to be people you currently work with – it can be anyone you've ever worked for or with.

We will be talking about *behavioral styles* in the next module – in that context, we will be talking about the outward, physical mannerisms (physical mannerisms, voice – loudness and inflections, eye contact, etc.). For purposes here, we are going to talk about *characteristics*.

Question: If we assume that supervisors are among the most influential persons within their organization, then what types of behaviors are important for that individual to demonstrate?

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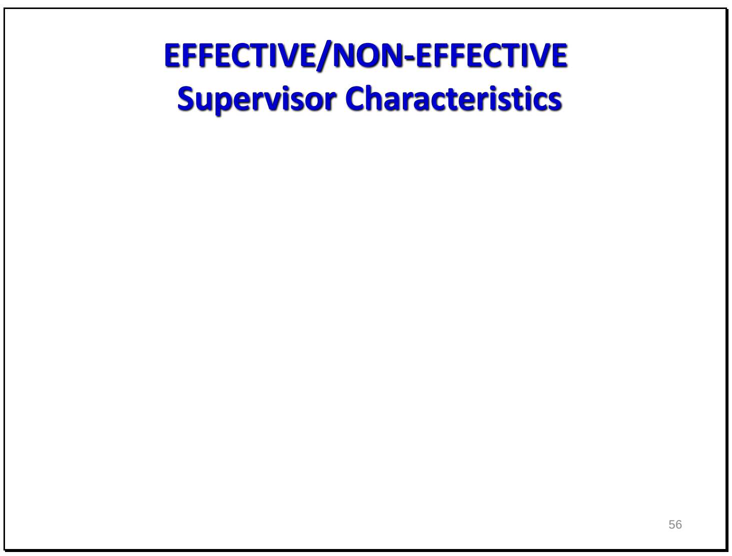


Ineffective/Effective Behaviors Activity

In your groups take **10 minutes** to create a list for characteristics that are non-effective traits or behaviors you have observed in supervisors.

In your groups take **10 minutes** to create a list for observable characteristics they think are necessary for a successful and effective supervisor.

Slide 57

We are going to be talking about the leadership philosophies you read about in our pre-course books.

If there is one tenant to take away from this discussion it is that your success and effectiveness as a supervisor IS DIRECTLY TIED TO OTHER PEOPLE and in most cases, they are your subordinates. Studies and research abounds that confirms what most of us suspect – your skills in dealing with people, in this case, as a leader of people, will determine your level of success or effectiveness.

When we talk about the different development levels of your subordinates, what type of value do you put on "development"?

Describe your opinion of employees who are learning a new piece of equipment or a new job (like moving from call receiver to dispatcher, or from secondary call receiver to primary call taker, from law enforcement dispatcher to fire dispatcher). How do you view their development?

Describe your feelings or thoughts about the development of experienced dispatchers who, even though she has job skill competence (dispatching/call taking), is a difficult employee for others to work with, and especially difficult for you to supervise. She is the most emotionally taxing person that works for you, even though she is a competent or even excellent dispatcher. How do you view her "development" needs?

Having read the Blanchard book, does anyone here disagree with the philosophy that effective leader/supervisors have a responsibility and a DUTY to assist in developing subordinates?

Did anyone struggle with the responsibility to help in the development of the employee in the last example? Be honest! How many of you look forward to having to deal with this person on a daily basis? How much of your time is being eaten up by the one or two problem individuals on your shift? Do you think you have an obligation to them to help them overcome their deficits? How many of you have behavior-based performance appraisals? Is someone's "behavior" or "attitude" (attitude CAN be inferred or documented – by stating the behavior associated – ask for examples, if necessary)

Unfortunately, supervisors are expected to deal with subordinates who have challenges in many different arenas. Rarely do we get all the "good people". And even "good people" will have individual development needs.

We will continue to work through many of the skills identified through this module and in module B in order to provide you with tools to utilize in a variety of situations and with varying personality types.

Slide 58

As part of the "sandwich" you are in as the supervisor, you also are a voice to management; as a part of management, as an individual employee and as a representative of your subordinates. In the next module you will read about a concept called "participative management?"

There are reasons for change about which subordinates have little knowledge, so setting them up through participative management, to believe that they have a "vote", can cause disappointment.

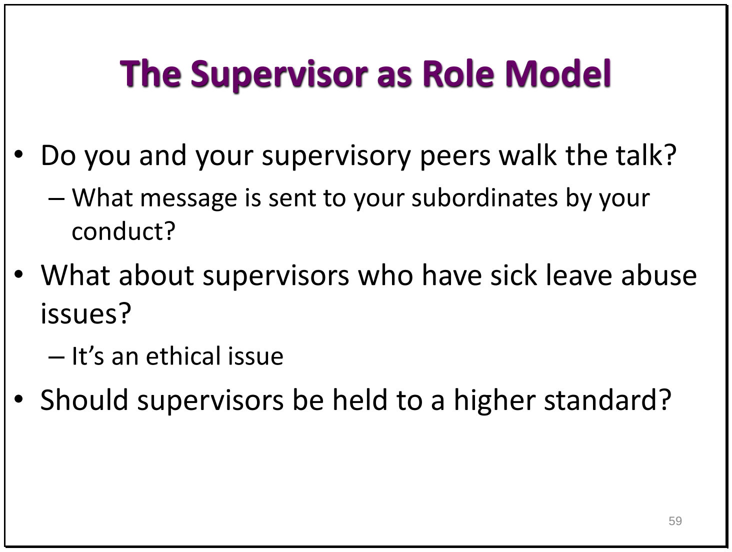
- Educate yourself on the underlying reasons and need for change so that you can explain it to subordinates in a way they can understand.

- Understand that you cannot please everyone, and live with that knowledge. You CAN support and encourage all subordinates, but their response to change or other news within the organization is within their personal responsibility, not yours. You can, however hold them accountable for their behaviors when change needs to occur.

- Someone has to make a decision and not everyone will agree or like it. I don't want to have to defend my agency management's decisions when they are not popular or I don't personally agree with them.

We discussed the skill of "selling" various policies and information earlier. How you as a supervisor "sell" policies and processes through your actions?

Slide 59



When we discuss the amount of influence you have in the workplace, the need to have supervisors who are also good role models becomes apparent. How about the ineffective supervisor behaviors we created earlier? Besides being a how-not-to-act checklist, can you see any relationship between those behaviors and the culture of the shift that they supervised at the time? How did the poor performing supervisor "influence" his or her shift? Can anyone say that their role as a supervisor doesn't set the tone for the culture on the shift?

Think about the way supervisors are viewed by their employees. Are they walking the talk? If your agency or shift is serious about punctuality, if employees have said that punctuality is one of the values that is important to them and they have worked to make sure they arrive on time, what message do you send when you walk into work 10 minutes after the official beginning of your shift?

Very few employers don't have regularly scheduled hours of work and you know that your employees know what your hours are. Even though supervisors may be given more time-privileges than scheduled employees, do you think you send a contrary message if you frequently arrive to work late?

Slide 60

The Ethical Supervisor

- Give me examples of areas where supervisors may have ethical challenges
- George Mazzeo's three components to the ethical process:
  - Ethical consciousness
  - Ethical evaluation
  - Ethical action

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Slide 61

The Ethical Supervisor

- Mazzeo's three questions to ask yourself in any potential or real ethical issue:
  - **Who will benefit?**
  - **Who could potentially get hurt (from the decision)?**
  - **What would I do if the situation were reversed?**

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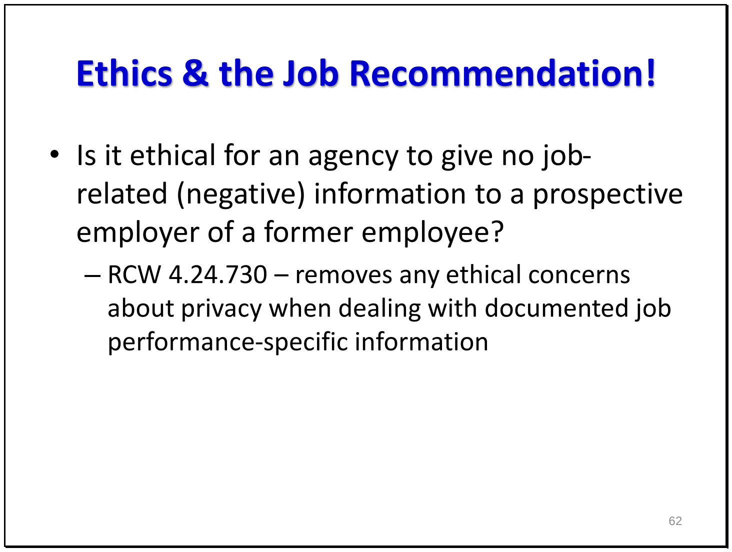
Slide 62



George Mazzeo brings up some interesting ethical issues. Do you remember the scenario he gave you about a manager who had hired a very bright, competent individual who created such workplace problems; he was a struggle to work with every day? The employee when counseled by the manager/supervisor was defensive and pouted for a while afterward. Then out of the blue he gets a call from another firm who would like to hire him and they are asking for the manager/supervisor's recommendation. How many of you have been placed in a position of hedging or not being honest, because you would like to have your problem person hired elsewhere? It is one of those dilemmas that can face any employer, unfortunately. However, it has been made easier by a recent RCW that allows employers to provide honest information about employee job performance and reliability. We didn't bring it up in Unit 3 because normally your HR professionals will be providing information on former employers, but we will briefly talk about it here so you can put to rest any ethical concerns you would have about your agency releasing this type of information.

There is an RCW that was created in the last few years (RCW 4.24.730) that provides employers liability immunity from disclosing information about an employee's ability to perform the job, skill, diligence, reliability or any wrongful act committed by the employee when related to the duties of his/her job.

"RCW 4.24.730 - Liability immunity--Disclosure of employee information to prospective employer.
(1) An employer who discloses information about a former or current employee to a prospective employer, or employment agency as defined by RCW 49.60.040, at the specific request of that individual employer or employment agency, is presumed to be acting in good faith and is immune from civil and criminal liability for such disclosure or its consequences if the disclosed information relates to:
(a) The employee's ability to perform his or her job;
(b) the diligence, skill, or reliability with which the employee carried out the duties of his or her job; or
(c) any illegal or wrongful act committed by the employee when related to the duties of his or her job.

(2) The employer should retain a written record of the identity of the person or entity to which information is disclosed under this section for a minimum of two years from the date of disclosure. The employee or former employee has a right to inspect any such written record upon request and any such written record shall become part of the employee's personnel file, subject to the provisions of chapter 49.12 RCW.

(3) For the purposes of this section, the presumption of good faith may only be rebutted upon a

showing by clear and convincing evidence that the information disclosed by the employer was knowingly false, deliberately misleading, or made with reckless disregard for the truth. "

In the past, we can understand, if not agree with, an agency's reluctance to provide real information about the job performance of a former employee. While many of you will refer all inquiries to HR, there are some of you who will personally know someone from another agency who will ask you about a prospective new hire. Personally, many of us can probably come up with several examples of when this has happened. Remember that your agency's credibility (or your manager's or yours) is on the line when we as an industry we pass on problem employees. If we can do nothing else, we can at least do the requestor a favor, and give them the RCW so that THEY can make the request of your HR and obtain real, relevant information about their prospective new employee. If we continue to pass along poor performing, dishonest, or problem employees, we can't complain when we, too, end up hiring them because someone gave them a good recommendation in order to get rid of them. Would anyone question whether or not this practice was ethical? Remember our 3 questions: Who benefits, who gets hurt, and how would I feel if the situation were reversed?

Slide 63

Ethics Activity

You have **30 minutes** to review the scenario provided with your group. Formulate a response to the scenario, include your answers to the 3 ethics questions articulate your response and the reasons for it. Include any other factors you would consider and any other ethical factors that might crop up.

We agree that ethical behavior is essential for an effective supervisor. You are a role model for subordinates and peers, and a person of influence in your center. If your own experience tells you that supervisors have great influence over the culture of their shift and their agency, then let's discuss what you can do to make sure your influence is the most positive and effective it can be.

Slide 64

What Type ARE You?

- 4 pairs of opposite preferences
  - Extraverting (E) vs. Introverting (I)
  - Sensing (S) vs. iNtuiting (N)
  - Thinking (T) vs. Feeling (F)
  - Judging (J) vs. Perceiving (P)
- Type is one preference out of each of the opposite pairs (ESTJ, i.e.)

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When we look at ourselves as people, not just as supervisors, you can look around this room and see personalities and temperaments of every type.

How did you feel about the book *What Type Am I* by Renee Baron? This will be a short introduction only, to the potential uses of a personality and/or temperament type indicator. We will not be going into in depth, but we have a couple of additional books that we think you may find very useful to you in your career as supervisors and managers. The first recommendation is David Keirsey's book that marries the concept of temperament with the Myers/Briggs personality type indicator. It is called Please Understand Me II. It is available at Amazon or can be ordered any number of places on line. The second book is called *The Quick Guide to the 16 Personality Types in Organizations* Understanding Personality Differences in the Workplace – it is by a number of contributors: Berens, Cooper, Ernst, Martin, Myers, Nardi, Pearman, Segal, and Smith.

Keirsey's book goes into more depth and discussion on the topic, but is very readable. The Quick Guide book gives succinct info on each type and describes what each might look like on a team, when dealing with stress, type of leadership, problem-solving and challenges. This can be highly useful to you as supervisors if you want a quick reference guide to help you bring out the best in your people.

For our purposes in this course we're presenting the information in the first part of the Baron book as an hors d'oeuvre to a bigger meal. You have read it and should be able to find ways to use all the information in it. As we will discuss in module B, self-awareness is a critical element in our effectiveness in communication. Your ability to be aware of your personality and behaviors provides you better leverage in working with others.

The book talked about three ideas: preference, type, and temperament.

There are four pairs of opposite preferences. Within each pair, we favor one side over the other, and tend to use that one most of the time because it comes more easily to us.

There are 4 pairs of preferences:

Extraverting (E) and Introverting (I)

Where we prefer to focus our attention and what energizes us

Sensing (S) and iNtuiting (N)

This pair refers to how we prefer to take in info

Thinking (T) and Feeling (F)
    This pair refers to how we evaluate info and make decisions
Judging (J) and Perceiving (P)
    This pair refers to our lifestyle orientation

Taking one initial from each of the opposite pairs creates a "type".

These are the fundamental desires that propel us – they are what we live for. A person's temperament largely determines how his/her behavior will gather into "activity patterns". This means that within all activities people engage in, you can see a continuous thread of motivation. Anyone remember the four names given these patterns by the book?

Duty Seekers
Action Seekers
Knowledge Seekers
Ideal Seekers

Type and temperament theory represent 2 separate ways of classifying personalities. These 2 different ways of typing personality later converged. The "type" system comes from the work of Carl Jung, later used and refined by Myers and Briggs. The second system, temperament, was compiled by David Keirsey. In fact, we used the What Type Am I book by Renee Baron only because of the shorter "read", and she bases her book upon David Keirsey's book "Please Understand Me" (now revised Please Understand Me II – Temperament Character Intelligence). We *highly* recommend this book for all of you as it is a more comprehensive book on the subject and it gives detailed information on how the different types and temperaments interact with partners and as children, etc. It is well worth the small investment if you really want to understand yourself and your coworkers. If you understand the type and temperament of your subordinates, then you will be able to find "patterns" of motivation. What better way to understand and work with people!

Temperament theory has been around for centuries; however it was David Keirsey a clinical psychologist who revived interest in it. He reviewed the ideas of the past and arrived at his own configuration. When he came upon the Meyers-Briggs descriptions of the sixteen "types", he saw within them, temperament patterns. Even though type and temperament theory evolved separately, they have been found to overlap and complement each other in ways that make studying them together useful.

Slide 65

The Two ENERGIZING Preferences

- EXTRAVERTING (E) AND INTROVERTING (I)
  – Extraverts get their energy from the outer world of people, activities, and things
  – Introverts get their energy from their inner world of ideas, impressions and thoughts

  *Note EXTRAVERTING is spelled this way as Carl Jung & the Myers/Briggs Type Indicator consistently use the spelling EXTRAVERT – we will use this spelling throughout

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The four basic dimensions of human personality each deal with important aspects of life.

Let's look at the first pair – the **ENERGIZING** pair.

The two ENERGIZING preferences are EXTRAVERTING (E) AND INTROVERTING (I)
Extraverts get their energy from the outer world of people, activities, and things
Introverts get their energy from their inner world of ideas, impressions and thoughts

Extraverts	**Introverts**
Seek interaction	Like to be alone
Enjoy groups	Enjoy one-on-one
Act/speak first, then think	Think first, then speak/act
Expend energy	Conserve energy
Focus outwardly	Focus inwardly
Talkative	Quiet
Like variety and action	Focus on one thing at a time
Outgoing	Reserved
Think out loud	Think to themselves
Enjoy discussing	Enjoy reflecting

Extraversion does not mean talkative and introversion does not me shy and retiring. The descriptions refer to whether a person gathers energy from the outer or inner world.

Extraverts are outgoing, enthusiastic, often fast-paced and enjoy a lot of interaction with others. To understand the world, they need to experience it.

They tend to act, discuss and process verbally and then act some more. They often think out loud and generally find it easy to talk to anyone. They are rejuvenated by being with people and can feel drained when they are alone.

Introverts are often reserved and private and need more time to themselves where they tend to conserve their energy. They want to understand the world before they experience it and often think and reflect before acting or speaking. Interacting too much with others can drain their energy. To rejuvenate, they need to be by themselves or in silence. Introverts prefer to focus their attention inward and get energized by their internal world of ideas, impressions and thoughts.

When in a relationships, Introverts and Extraverts can find their preferences a source of tension and sometimes have a difficult time understanding each other even if their other three preferences are the same.

How to Get Along with Extraverts

- Appreciate their ability to initiate things
- Give them acknowledgment and attention
- Listen to them talk so they can sort things out and clarify
- Go out and interact in the world with them
- Understand their need to be with friends other than you

How to Get Along with Introverts

- Respect their need for time alone
- Give them time to think and sort things out
- Respect their need to privacy
- Try to edit your thoughts before speaking
- Spend time with them in silence doing things together "alone"
- Do not pressure them to socialize or interact with a lot of people

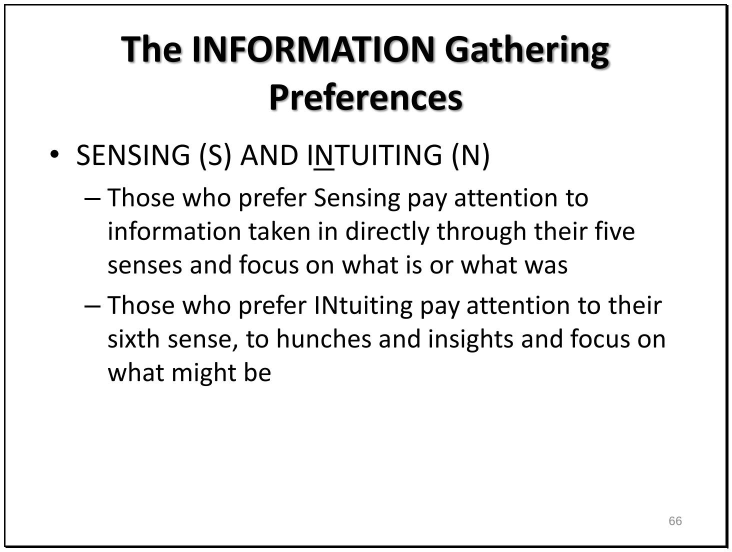
Ideas for Extraverted Supervisors

- Try processing thoughts, feelings, ideas in writing or meditation instead of verbally. Start using a reflective journal at work
- Monitor your talking-take notice of other people's interest or "not" in what you are saying
- Make sure you have plenty of time with others – appropriately interact with your shift
- Don't rely on introverted subordinates or peers for all of your "interaction with others" time at work
- Stimulate yourself by interacting with the outer world when you need to be charged up – find a way to appropriately liaise with user agency personnel, other shifts or volunteer to attend meetings or being the agency representative in workgroups, etc.
- Think more before taking action – sleep on it overnight or set a period of time that you require yourself to think more in depth and contemplate on an important issue before talking or weighing in
- Consider spending quality time alone – engaging in activities without other people

Ideas for Introverted Supervisors

- Don't feel guilty for needing privacy or solitude
- Learn to compromise with peers and subordinates by spending time at work with others as well as alone
- Take the initiative sometimes and ask peers and subordinates to join you for work activities
- Challenge yourself to speak up in groups – remind yourself that your thoughts and opinions are important and valuable
- Try talking about things as they come up rather than sharing your final conclusion about an issue – consider interacting with an extrovert to exchange thoughts and ideas on an issue
- Be generous and expressive with compliments and praise – particularly toward your Extravert peers and subordinates
- If you go to a large event or conference try to have at least one friend or coworker with whom you can check in for support

Slide 66



SENSING (S) AND **INTUITING** (N)
Those who prefer Sensing pay attention to information taken in directly through their five senses and focus on what is or what was

Those who prefer Intuiting pay attention to their sixth sense, to hunches and insights and focus on what might be

Sensors	**iNtuitives**
Prefer facts/concrete info	Prefer insights/abstract information
Are more interested win what is actual	More interested in what is possible
Pay more attention to specific	Focus on the big picture
Are practical and realistic	Are inspired and imaginative
Focus on the present	Focus on the future
Value common sense	Value innovation
Are pragmatic	Are speculative

Sensing
Those who prefer Sensing tend to take in information mainly through their five senses and pay attention to facts and specific data that come through their sensory awareness. They focus more on what actually exists than on possibilities. "What is" is more useful than "what might be". They value common sense and record the world as they see it, in the moment. They focus on what is right in front of them and rely on what can be measured or documented. They appreciate the concrete realities of a situation and work with what's been given. They tend to take things literally and expect others to do the same. They have little need to interpret underlying meanings or assumptions about things.

iNtuiting
Those who prefer iNtuiting also take in info through their five senses, but they pay more attention to their "sixth" sense – hunches and insights. They read between the lines, looking for underlying meanings that go beyond what is in front of them. They are at home with abstract, intangible information. They perceive the relationship between things. When they describe what they 'see", they jump around wherever their intuition takes them and prefer not to be literal or follow a sensible sequence. They prefer to notice what might be there or what it could become instead of what is. They are interested in possibilities and are open to change. They value inspiration more than common sense or tried and true.

Sensors and iNtuitives see the world in very different ways and may fail to appreciate each other's perspective. Communication can be difficult between them because each believes his or her information is more accurate, valid, and real.

How to Get Along with Sensors

- Appreciate their realistic, down-to-earth and practical accomplishments and contributions
- When communicating with them, stick to the facts and issues using real, concrete and explicit examples
- Stress the practical application of your ideas if you want them to be accepted

How to Get Along with iNtuitives

- Appreciate their inventive minds, original ideas and ability to solve problems creatively
- Don't inundate them with facts or unnecessary details
- Listen to them when they ponder new concepts and possibilities and participate with them in fantasizing about new ideas
- Trust their ability to gather information through their hunches – don't always question them about why or how they "know"

Suggestions for Sensor Supervisors

- Avoid arguing about specific when having discussions or disagreements-especially when dealing with iNtuitives
- Refrain from automatically ruling out ideas of your iNtuitive peers or subordinates – look beyond the obvious and imagine new possibilities for handling a situation
- Try playing with your own imagination when listening to what may seem remote or fanciful
- Acknowledge other ways of knowing, including hunches, dreams and fantasies
- Look for ways in which to use the iNtuitive's innate imaginative abilities to problem solve and come up with creative ideas on your shift

Suggestions for iNtutive Supervisors

- Be open to hearing feedback on practical reality, feasibility and possible pitfalls of your ideas and visions
- Try to practice being in the here and now – not always looking to ways in which to live in the future
- When planning a project, create a practical step-by–step plan, in writing, noting what is involved in each step
- Find ways of interacting in the workplace that keeps your physical attention on your surroundings

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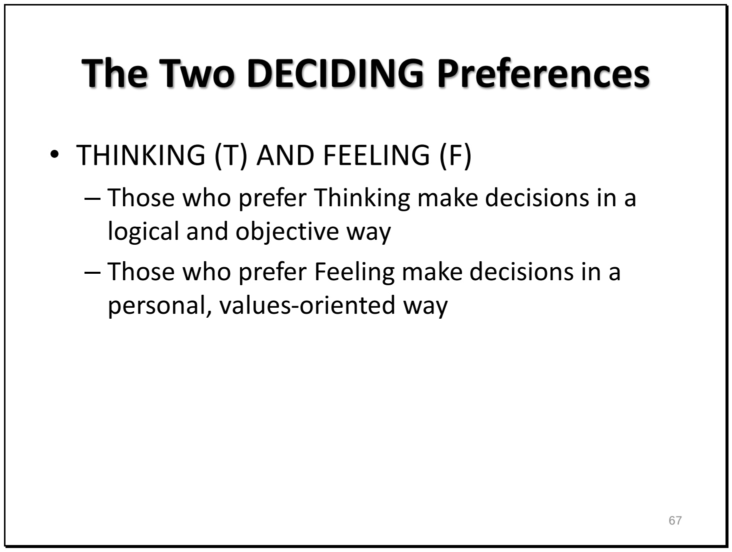


THINKING (T) AND **FEELING** (F)
Those who prefer Thinking make decisions in a logical and objective way
Those who prefer Feeling make decisions in a personal, values-oriented way

Thinkers	**Feelers**
Are firm-minded	Are gentle-hearted
Analyze the problem	Sympathize with the problem
Are objective and convinced by logic	Are subjective, convinced by values
Are direct	Are tactful
Value competence	Value relationships
Decide with their head	Decide with their heart
Value justice	Value harmony
Can be seen as insensitive	Can be seen as over-emotional
Are good at critiquing	Are good at appreciating
Usually don't take things personally	Take things personally

Thinking
Those with preference for thinking make decisions through a logical, analytical process and see an objective standard of truth. When making decisions, they place more value on consistency and fairness than on how others will be affected. They examine and weigh the logical consequences of their choices and actions and look for flaws, fallacies, excelling at critiquing conclusions and pointing out what is wrong with something. Thinking in this context simply means how decisions are made using more analysis and less of a personal view of the decision.

Feeling
Feeling does not mean emotionality – here it means that those with a feeling preference make decisions more subjectively according to their values and what is important to them. They also place greater emphasis on how other people will be affected by their choices and actions. They pay attention to their relationships because these are high on their values list. Their truth is based on personal and social values.

Thinkers may not always show their feelings, but they do have them, just as Feelers may not always verbalize their logic, they are capable of logical thought. They simply use different criteria for making decisions; logic versus values. When these two ways of decision-make are understood and appreciated, they can complement each other in a relationship.

How to Get Along With Thinkers

- Appreciate their calm detachment and insightful analysis
- Ask them for information or advice on some area of their expertise
- Don't force them to talk about or display their emotions
- Ask them what they think rather than what they feel
- Allow them to express their criticisms of situations and people without becoming reactive or defensive –look for areas you can agree with
- Don't worry about being unkind or argumentative when you express your disagreement with them – you are entitled to your opinion – they may want to argue for the fun of it, but they'll respect you for having and holding your view

How to Get Along with Feelers

- Let them know you appreciate their warmth, understanding and compassion
- Acknowledge their ability to express their feelings and help others be at ease
- Don't use sarcasm or tell them they are being illogical, too sensitive or emotional
- Have personal conversations with them and focus on what you agree upon
- Listen to their concerns but don't try to solve their problems unless they ask for advice

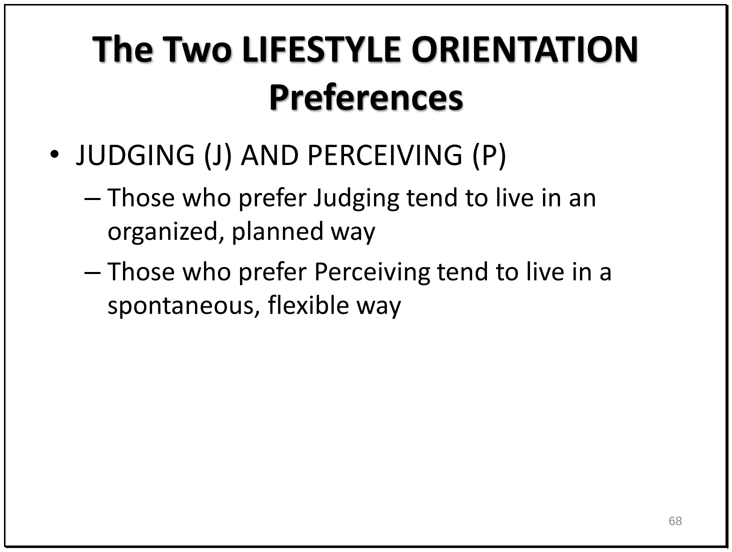
Suggestions for the Thinking Supervisor

- Consider the impact your feedback will have on another person – try something positive as an opening statement tempering your feedback so it is less harsh
- Monitor your "constructive criticism" – consider when it's useful and when it might become demoralizing
- When dealing with Feelers, avoid debate for the sake of debate – it feels like conflict – stick to a more productive way of dealing with an issue
- Be more generous with praise, encouragement and appreciation – express warm feelings occasionally
- Allow yourself to lose an argument, make "I'm sorry" and "you're right" part of your vocabulary
- Consider the feelings of others when considering various plans and outcomes
- Allow yourself to be a little more vulnerable when interacting with peers and subordinates – you won't die – and it may improve your relationship with them
- Pay attention to your physical sensations and feelings as well as to the feelings and body language of others- these will be cornerstones of emotional intelligence – becoming self aware, socially aware and managing relationships

Suggestions for the Feeling Supervisor

- LEARN to ask for what you want – avoid, "it doesn't matter", or "whatever you want is fine"
- Speak up when you feel you are being treated unfairly or taken advantage of – learn to negotiate, set limits and boundaries, and be direct
- Avoid talking excessively about your feelings when with Thinkers
- Try to objectively look at your options and think them through before deciding
- Find or encourage a work environment that is friendly, supportive and cooperative
- Learn to detach and not take criticism personally – PRACTICE your reactions calmly without getting emotionally caught up in the moment
- Consider learning more about the technical part of your job

Slide 68



JUDGING (J) AND **PERCEIVING** (P)

THOSE WHO PREFER Judging tend to live in an organized, planned way
Those who prefer Perceiving tend to live in a spontaneous, flexible way

Judging	**Perceiving**
Seek closure	Seek openness
Value structure	Value the flow
Plan ahead	Adapt as they go
Like order	Like flexibility
Work now/play later	Play now/work later
Like to complete projects	Like to start projects
Goal-oriented	Process-oriented
More structured	More easy-going
Like things settled and decided	Like things open and spontaneous

Judging

The word judging does not mean judgmental or opinionated in this context; it means that people with a preference for Judging like to get decisions made as early as possible. They prefer a structured and orderly lifestyle and live in a planned way. They may be uneasy about something until a decision is made – they want to get things done and off their minds or work-plates. Commitments are seen as final and definite. They may have difficulty adapting to schedule changes and can find it stressful when new information conflicts with or undoes decisions that have already been made.

Perceiving
The word perceiving does not mean perceptive or insightful. It means that persons who have a preference for Perceiving like to gather more information and keep their options open. They are comfortable leaving things unplanned or undecided. They go with the flow letting life happen – they are flexible and adaptable and are not bothered by decisions not yet made. Commitments are seen as changeable and negotiable.

Judgers and Perceivers can have conflict arising out of one's need to have everything planned and settled and the other's need to have nothing planned and settled.

When the Judger can relax and go with the flow a little more and the Perceiver learns to be more organized and follow through better, they can improve their relationship.

How to Get Along with Judgers

- Appreciate their ability to be organized and efficient to make decisions and to bring things to completion
- Respect their need to know "the plan" – try to agree to at least some part of a schedule or time frame
- Keep your commitments with them and show respect by being on time
- Judgers like order – be mindful of that if you share a space with them

How to Get Along with Perceivers

- Appreciate their flexibility and relaxed way of doing things
- When a decision is needed, allow them time to ask questions and discuss options
- Get an agreement on when they'll give you their decision
- Try not to impose unnecessary schedules or commitments on them
- Let them know when it is critical that they follow through with something

Suggestions for the Judging Supervisor

- PATIENCE - when dealing with people who want more time to make a decision than you do
- Stop "doing" -take time to relax
- Beware of making your own decisions too hastily – it IS okay to change your mind – particularly if you have more input or information later
- Too much structured and planned time can be stressful to perceivers
- Be open to doing something spontaneous on your shift

Suggestions for the Perceiving Supervisor

- Be respectful of deadlines, of being on time
- Keep your promises and commitments
- If your job is overly structured – create unplanned spontaneous time off duty
- Create to-do lists – short ones, and COMPLETE them every day
- Focus on completing tasks, assignments and commitments before looking at new options or projects

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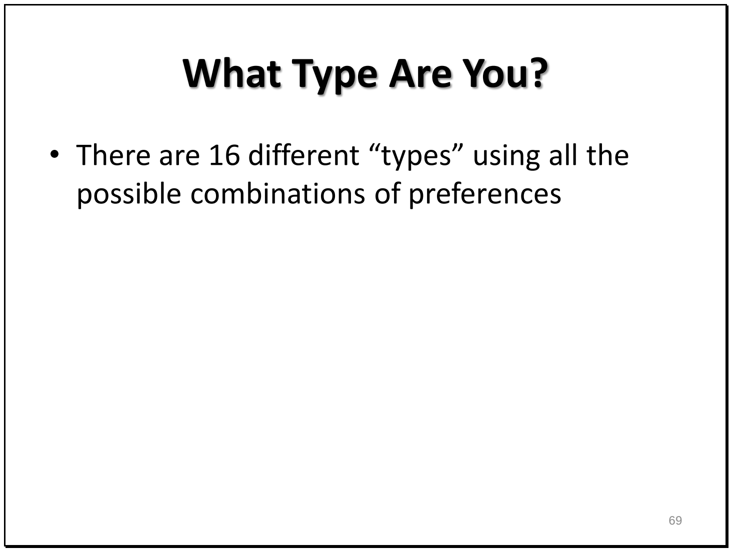
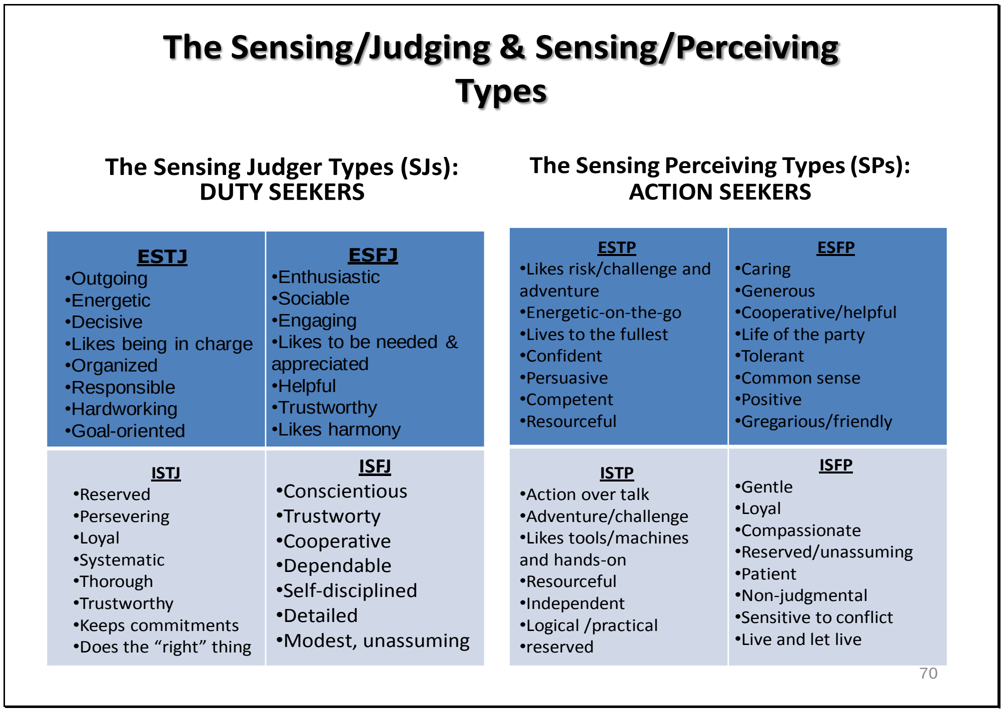


Social/Behavioral styles are determined by the outward physical behaviors exhibited by people-which in the social styles setting, is based on 4 types and do not account for internal feelings, thoughts, values, etc.. The Myers Briggs type indicator and the Keirsey temperament instruments measure internal personality characteristics. Both have value, but they are not the same thing.

There are 16 possible types. Did any of you have difficulty finding the "type" that made the most sense to you?

Slide 70



The Sensing/Judging types
Motivated by the need to be *useful and of service*

They like to stick to the standard way of doing things and value traditions, customs and laws of society. They follow the rules… They are the **DUTY SEEKERS**

ESTJs:

- Outgoing
- Energetic
- Dependable
- Efficient
- Organized
- Decisive
- Likes administrating and being in charge
- Excellent at organizing and deciding policies and procedures
- Assertive outspoken and direct
- Focuses on problem solving
- Responsible
- Hardworking and goal-oriented
- Consistent
- Pragmatic
- And logical

ISTJs

- Reserved
- Persevering
- Loyal
- Careful
- Systematic
- Organized
- Focused on the facts

- Hardworking
- Thorough
- Good at follow-through
- Down-to-earth
- Pragmatic
- Trustworthy
- Honors commitments
- Does the "right thing" and expects others to do so
- Calm and consistent in crisis

ESFJs

- Enthusiastic
- Sociable
- Engaging
- Likes to be needed and appreciated
- Personable
- Sympathetic
- Cooperative
- Likes to be helpful
- Active in service organizations
- Trustworthy
- Loyal
- Responsible
- Values harmony
- Shows love in practical ways

ISFJs

- Conscientious
- Trustworthy
- Cooperative
- Loyal
- Dependable
- Self-disciplined
- Strong work ethic
- Completes tasks on time
- Excellent memory for details
- Quietly friendly
- Thoughtful
- Reserved
- Works behind the scenes helping others
- Modest/unassuming
- Warm
- Tactful
- Gentle

The Sensing/Perceiving Types (SP)

SPs are motivated by need for freedom and action. They value and enjoy living in the here and now. They are the: **Action Seekers**

ESTP

- Likes risk
- Challenge and adventure
- Energetic and constantly on the go
- Lives life to the fullest
- Alert
- Confident
- Persuasive
- Can be outrageous, direct and impulsive
- Competent
- Resourceful
- Responds well to crisis
- Realistic
- Pragmatic
- Matter-of-fact
- Skillful negotiator

ISTP

- Prefers action to conversation
- Likes adventure and challenge
- Does well in crisis
- Enjoys working with tools, machines and anything requiring hands-on skills
- Resourceful
- Independent
- Self-determined
- Logical
- Realistic
- Practical
- Reserved
- Detached
- Curious observer
- Storehouses information and facts

ESFP

- Caring
- Generous
- Cooperative
- Enjoys helping others
- Friendly
- Gregarious
- Energetic
- Vivacious
- Charming
- Life of the party
- Tolerant and accepting of self and others
- Has practical common sense
- Accentuates the positive
- Enjoys new experiences and has a zest for life

ISFP

- Gentle
- Loyal
- Compassionate
- Appears reserved and unassuming

- Quietly does things for others
- Patient
- Accepting
- Nonjudgmental
- Has live-and-let-live attitude
- Sensitive to conflicts and disagreement
- Has little need to dominate or control others

Slide 71

The iNtuiting/Thinking (NTs) & The iNtuiting Feeling (NFs) Types

iNtuiting/Thinking Types (NTs) The KNOWLEDGE SEEKERS		iNtuiting/Feeling types (NFs) The IDEAL SEEKERS	
ENTJ •Confident leader likes to be in charge •Decisive •Ambitious •Likes intellectual exchange •Ingenious/resourceful •Innovative •Analytical •Logical	**ENTP** •Outspoken likes challenge and debate •Enthusiastic •Charming •Gregarious and witty •Values freedom and independence •Innovative •Enterprising •spontaneous	**ENFJ** •Friendly •Charming and enthusiastic •Socially active •Persuasive speaker •Inspiring motivating •Can idealize people and relationships •Responsible •diplomatic	**ENFP** •Helpful •Compassionate •Enthusiastic •Values freedom and autonomy •Warm-spirited •Good communicator •Creative •Spontaneous •Positive
INTJ •Independent •Individualistic •Great insight and vision •Drives self and others •Ingenious •Creative •Organized •Determined •Reserved •Responsible •private	**INFP** •Analytical & brilliant •Conceptual problem-solver •Original thinker •Non-conforming •Values precise thought and language •Notices inconsistencies and contradictions •Aloof/introspective	**INFJ** •Sensitive •Deep sometimes mystical •Singled minded re: personal values & convictions •Rich inner life •Values personal integrity •Creative •Original •Idealistic •Reserved •Gentle	**INFP** •Devoted •Compassionate/gentle •Open-minded •Dislikes rules, orders, schedules •Likes learning •Passionate convictions •Sets high personal standards •Idealistic •Sensitive •Can be reserved and contemplative

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NTs are *motivated by* the need to understand the world around them. They value competency and the powers of the mind.

ENTJ

- Confident leader who likes to be in charge
- Decisive
- Ambitious
- Likes intellectual exchange
- Ingenious and resourceful in solving complex problems
- Innovative, analytical and logical
- Self-determined and independent
- Aspires to be the best a whatever s/he does

INTJ

- Independent and individualistic
- Has great insight and vision
- Skilled in creating theories and systems
- Drives self and others toward goals and self-improvement
- Ingenious and creative problem-solver
- Organized and determined
- Good at follow-through
- Responsible
- Reserved

- Private

ENTP

- Outspoken and thrives on challenge and debate
- Enthusiastic
- Charming
- Gregarious
- Witty
- Values freedom and independence
- Innovative
- Enterprising
- Resourceful
- Spontaneous and impulsive
- Risk-taker who is alert to all possibilities
- Inquisitive and curious

The iNtuiting/Feeling Types (NFs): THE IDEAL SEEKERS
NFs are *motivated* by a need to understand themselves and others. They value authenticity and integrity and strive for an ideal world.

ENFJ

- Friendly
- Charming
- Enthusiastic
- Socially active
- Persuasive speaker
- Inspiring charismatic leader who motivates others
- Empathetic, warm, helpful and supportive
- Can idealize people and relationships
- Responsible
- Conscientious
- Goal-oriented
- Diplomatic and good at promoting harmony

INFJ

- Sensitive deep and sometimes mystical
- Singled-minded regarding personal values and convictions
- Has rich inner life
- Values personal integrity
- Creative
- Original
- Idealistic
- Reserved
- Gentle
- Compassionate
- Enjoys solitude
- Has a strong need for harmony
- Conscientious
- Determined
- Persevering

ENFP

- Warm-spirited
- Helpful
- Accepting
- Compassionate
- Full of enthusiasm
- New ideas

- Values freedom and autonomy
- Good at communicating and inspiring action
- Creative
- Spontaneous
- Positive
- Fun-loving
- Individualistic
- Insightful
- Perceptive

INFP

- Devoted
- Compassionate
- Open-minded
- Gentle
- Dislikes rules, orders, schedules and deadlines
- Likes learning and being absorbed in own projects
- Passionate convictions
- Drive for ideals
- Sets high standards for self
- Idealistic
- Sensitive
- Creative
- Can be reserved and contemplative

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Put Together Your Best Team Activity

Individually, take the next **15 minutes** for this activity.

- You are putting together a team of 5 people who will be ultimately responsible for choosing a new work schedule for all comm center staff.
- You will only oversee the project, not participate in decisions.
- They will only have one shot at putting together a really effective schedule for the comm center staff.
- Their decision will be final.
- You must choose a team leader and assistant leader.
- Choose your members from the personality types.

  - Which types do you want represented and WHY?
  - How many of each?
  - You may choose 5.
  - How will you motivate each type you have selected?
- Be prepared to articulate your reasons for making these selections and how you intend to motivate each to make this a highly successful project.

What Type is Your Team? Activity

You have **10 minutes** to review the employee information. Discuss in your group your assigned employee and how you would utilize this information. Prepare a brief overview to group.

Slide 73

Personality Types Summary

- There are four types of preferences
  - They each have individual descriptions of personalities
  - There are 16 possible combinations of these preferences
  - Each creates a general set of preferences the we call "personality"
  - How will you use this information?

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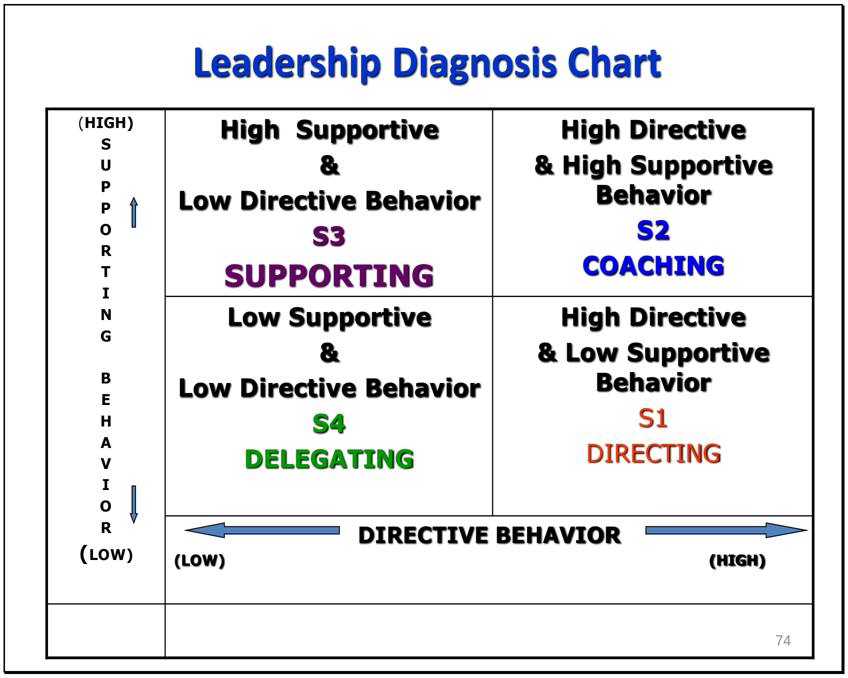


Who can tell me what the four basic leadership styles described in the One Minute Manager are:

Directing – Style #1 (S1) (Tell them what to do)

"Leader provides specific instruction and closely supervises task accomplishment "

Coaching – Style #2 (S2) (Show them what to do)

"The leader continues to direct & closely supervise task accomplishment, but also explains decisions, solicits suggestions and supports progress"

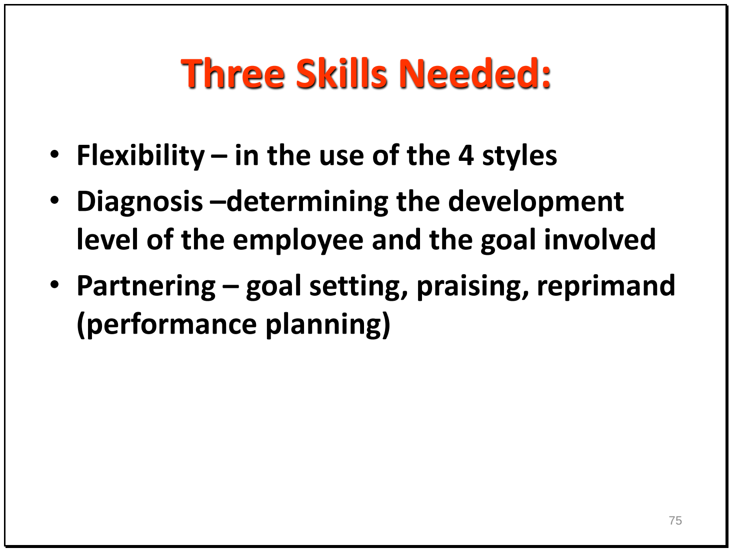
Supporting – Style #3 (S3) (Let them try)

"The leader facilitates & supports subordinates' efforts toward task accomplishment & shares responsibility for the decision-making with them"

Delegating – Style #4 (S4) (Observe the performance)

"The leader turns over responsibility for decision-making and problem-solving to subordinates"

Slide 75



Flexibility
In the use of the 4 basic Leadership Styles
Diagnosis
What is the development level of the employee? What is the goal?
Partnering
Goal setting, praising, reprimands

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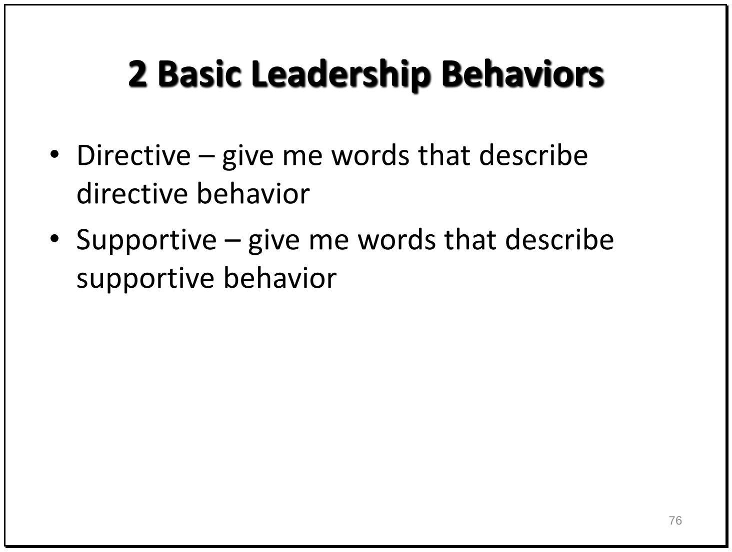

Two basic leadership BEHAVIORS are described by Mr. Blanchard in his book: Directive Behavior & Supportive Behavior.

Directive Behavior involves "clearly telling people what to do, how to do it, when to do it, and then closely monitoring their performance."

Supportive Behavior:

Praise
Listen
Ask
Explain
Facilitate

"Supportive Behavior involves listening to people, providing support and encouragement for their efforts, and then facilitating their involvement in problem-solving and decision-making."

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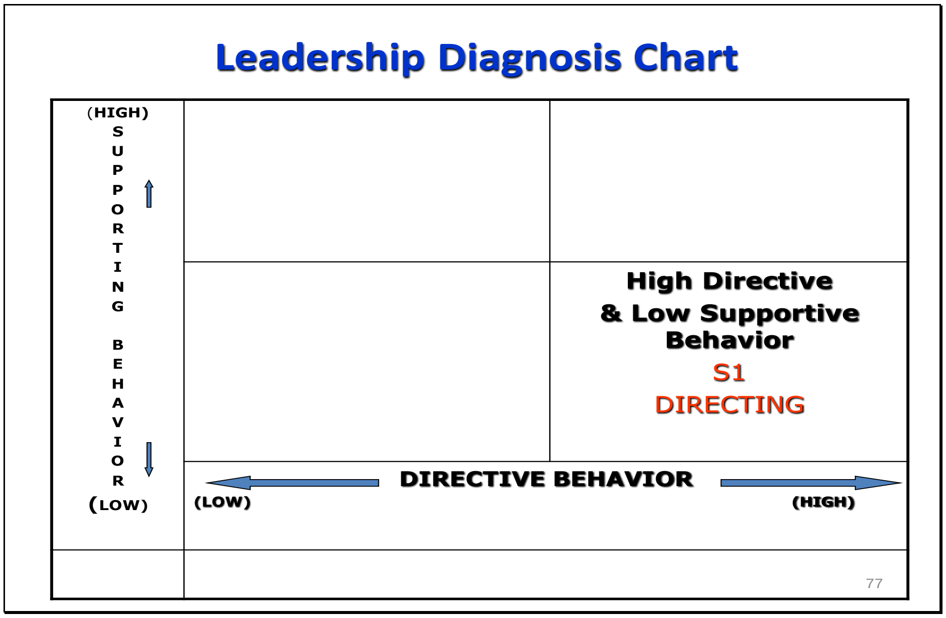
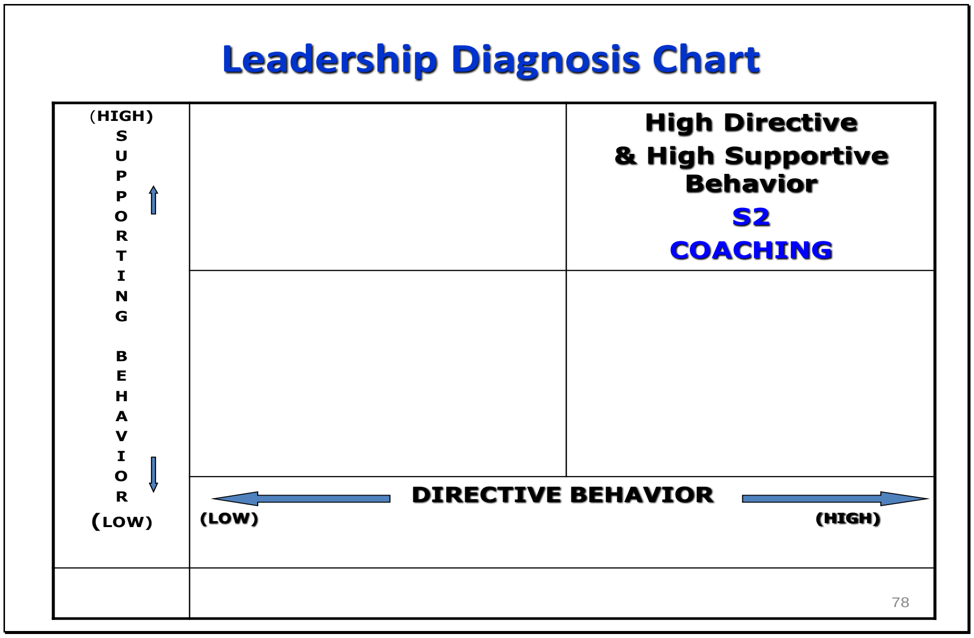


Style 1 (**S1**) is *directing* because when a supervisor uses this style, they are high on the directing behaviors (tell them what to do, how to do it, etc.) and low on supportive behavior. This style is where you are closely directing the actions or tasks of another. Think about a CTO – this would be the style probably used in the first couple of weeks with a trainee. The CTO tells the trainee exactly what the task expectation is, what the CTO expects to be done, how, when, etc.

For those of you who have had the CTO class (and we recommend all supervisors take the class!), you may remember our discussion of feedback that includes the **Wants, Whys, and Ways**.

"First, let the trainee know what you want to occur in the future:
Wants:"Whenever possible, take the traffic information prior to performing any other tasks."
You are directing: telling them what you want them to do



Now let's look at **S2** – **the Coaching style**. This is the style where you continue to direct and closely watch the person, but you also begin to explain the "whys" of what you are doing. You are now having a dialogue with the person – a two way conversation. You also have the final say – and continue to make final decisions. You listen, encourage, and reinforce initiative and risk-taking! Add the whys (remember the adult learner needs to know the whys and the relevancy to their job duties:

Whys: (Explain-the beginnings of supportive behaviors) "Here are the safety concerns you may consider…"

And follow with procedures or training that may help the trainee in carrying out the task. Both ask them for and give them ideas on how to fix any problems – what ways or alternative methods might assist them:

Ways: (Directing) "Let's practice the way the traffic stop should have gone and then I will let you handle all the traffic stops tomorrow. If the phone rings and I see you reach for it, I will lay my hand on the receiver to remind you where the priority is. Do you think that will help or do you have another idea that will work better for you?"

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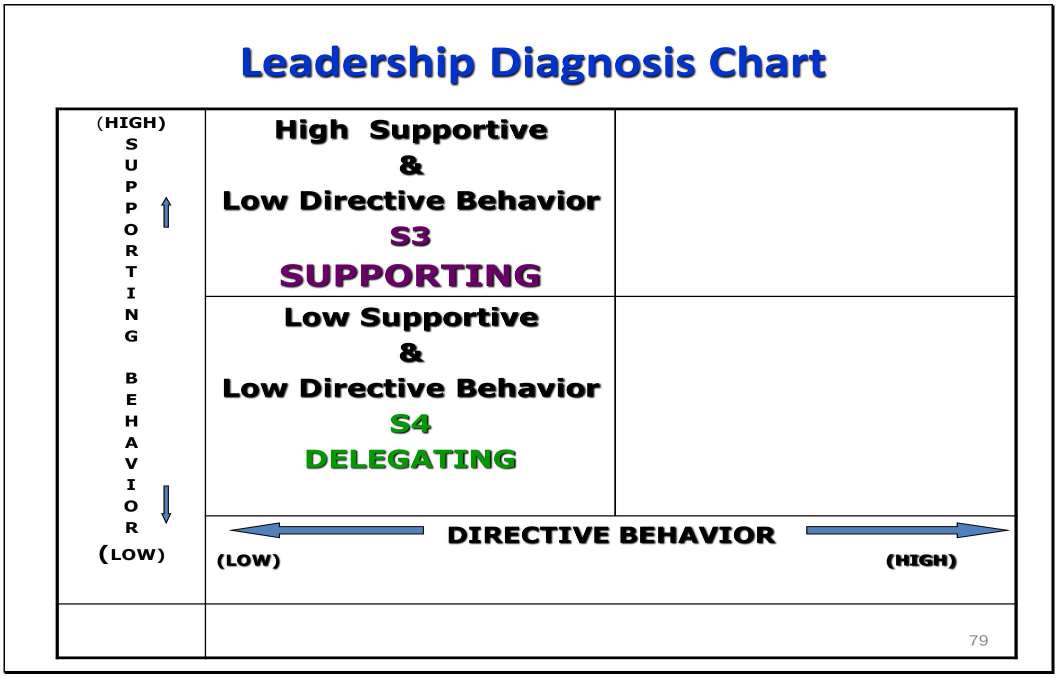

Can you also see the application on all of these styles for training? Supervisors can use all four styles effectively with different individuals in different situations – trainers can and should use these styles with trainees. **Would you use an S1 style with a trainee who has been training for four weeks with a different trainer, but who is now coming to you? Why or why not?**

You'll notice we've been discussing when to use a particular leadership style. We're not talking about a supervisor's natural style, communications style, or as we will talk about in the next module, our individual behavioral or social style. We're looking at a model for a flexible style.

So if the style is "flexible", how do we know when to use each style? What determines the style we want to use?

The development level of the person we're working with *in conjunction with the task or goal they are attempting to achieve*!

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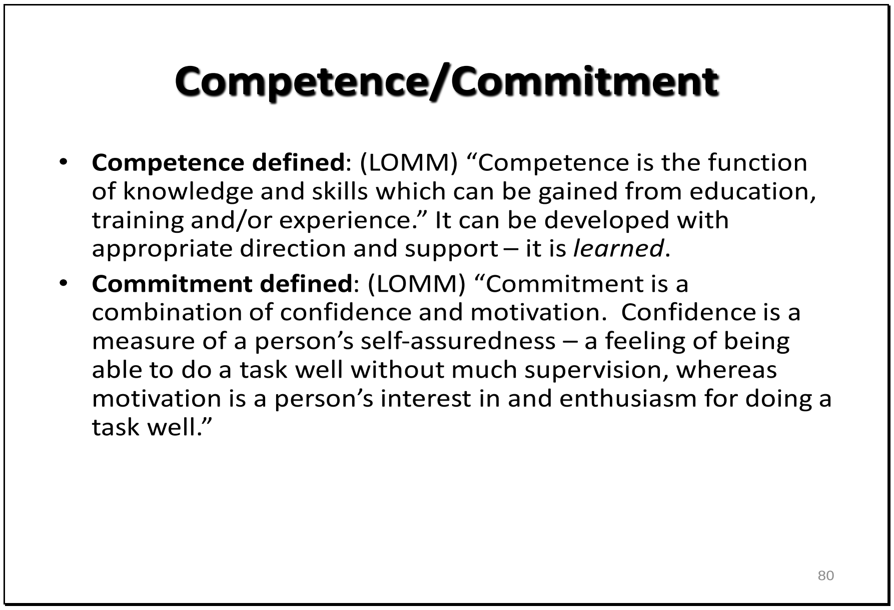

Competence defined: (LOMM) "Competence is the function of knowledge and skills which can be gained from education, training and/or experience." It can be developed with appropriate direction and support – it is *learned*.

Commitment defined: (LOMM) "Commitment is a combination of confidence and motivation. Confidence is a measure of a person's self-assuredness – a feeling of being able to do a task well without much supervision, whereas motivation is a person's interest in and enthusiasm for doing a task well."

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(Skill) Development Levels

High Competence - High Commitment	Moderate to High Competence - Variable Commitment	Some to Low Competence - Low Commitment	Low Competence - High Commitment
D4	**D3**	**D2**	**D1**
DEVELOPED ←			**DEVELOPING**

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On Page 50 of the LOMM – you'll see a description of the four development levels. These reflect the development level of the person AND THE IMMEDIATE GOAL upon which the two of you are choosing to work. If you have a highly competent dispatcher who is now doing payroll, a new and complicated task, you will use a DIFFERENT leadership style when supervising him as a highly competent dispatcher vs. an untrained payroll clerk!

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(Skill) Development Levels

High Competence - High Commitment	Moderate to High Competence - Variable Commitment	Some to Low Competence - Low Commitment	Low Competence - High Commitment
D4	D3	D2	D1
DEVELOPED			DEVELOPING

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Now let’s identify the development levels.

<u>D1 – Low Competence/High Commitment</u>

<u>D2 - Some to Low Competence/Low Commitment</u>

<u>D3 – Moderate to High Competence/Variable Commitment</u>

<u>D4 – High Competence/High Commitment</u>

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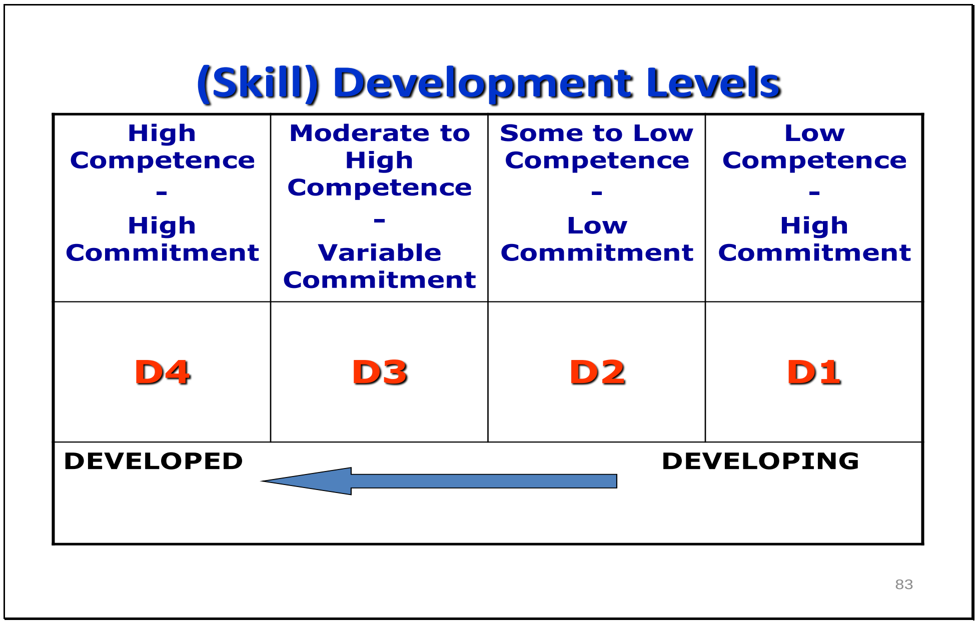
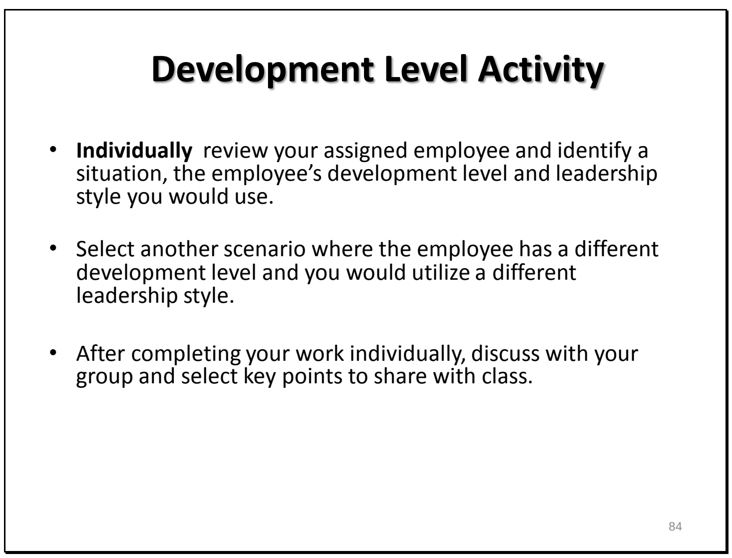


In Blanchard's model, D1 is the low end of Developing and D4 is the Developed skill set/person, and based upon the task they are assigned, may need a different leadership style to help them in their development.

Slide 84

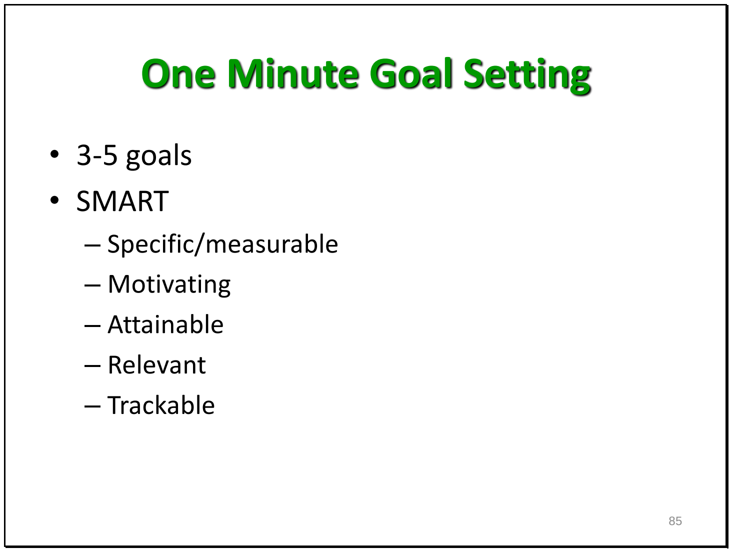


Development Level Activity

Working alone, each of you take **10 minutes** and using the area in your Student Manual, individually review your assigned employee and identify a situation, the employee's development level and leadership style you would use.

Select another scenario where the employee has a different development level and you would utilize a different leadership style. After completing your work individually, discuss with your group and select key points to share with class

Slide 85



Now we're going to look at the LOMM One Minute Goal Setting principles.
Does anyone remember the number of goals you and your employee should agree on, as recommended in the book? 3-5

Goal setting can be part of the performance appraisal process as well as the employee development process. It will depend upon your performance appraisal system – does anyone use a system that sets goals as part of the process?

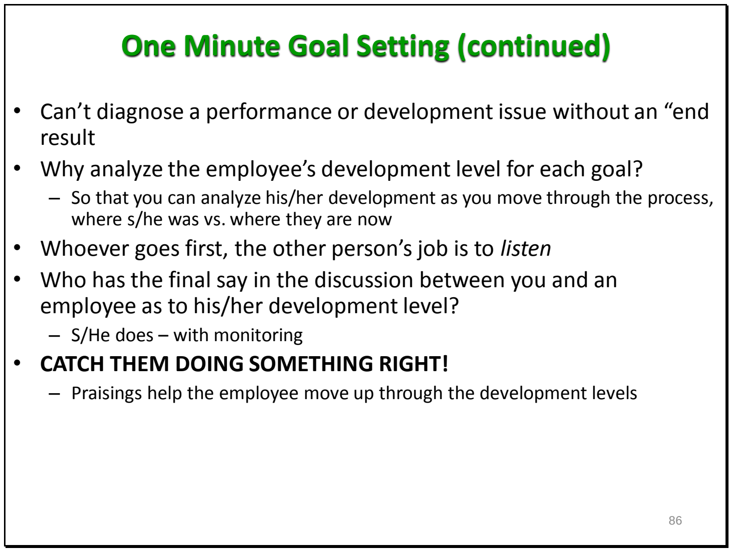
What do we want in a goal? Do you remember our acronym?

SMART
S - Specific-measurable
M - Motivating
A - Attainable
R – Relevant
T – Trackable

Remember, goals are objectives. What are the rules for writing objectives? There has to be an action verb. When writing goals make sure you begin with the action verb. The three parts of an objective are: behavior, condition, and standard.

Motivating deals with intrinsic goals – what motivates the employee? What values do they hold important?

Slide 86



So, after looking at goal setting, how important is goal setting to your effectiveness as a situational leader?

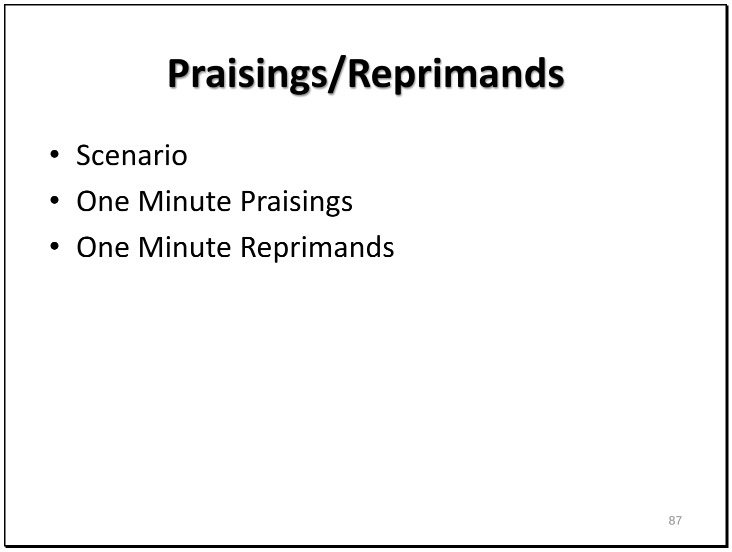
You can't diagnose a performance issue or a development issue without the "end result" which is the definition of the goal. You can't determine which leadership style is most effective, without the diagnosis of the employee's development level, which you will have to have in order to set a specific goal.

This is the way in which the two of you can really hear what the other is saying, and work out a mutual agreement.

The one proviso to this is that if there is a lack of consensus with the development level analysis then you both must agree on what the results will be over the next specified period of time so that the supervisor can review and observe the performance. You will agree on how you will work with each other during this process.

One cornerstone of the development partnership you and your employee have is the One Minute Praisings or "catch them doing something right". Praising, encouraging, and supporting help employees move up through the development levels.

Slide 87



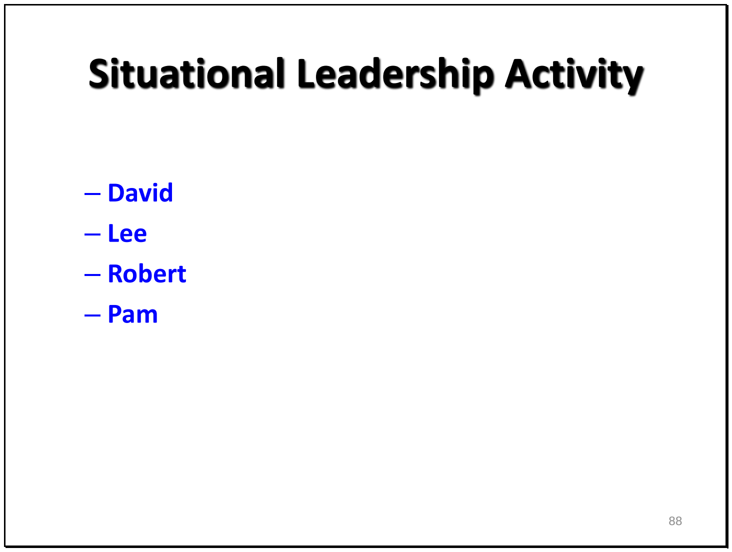
Let’s say you are working with an employee on a development plan – this is not a corrective performance plan, but is a plan you and the employee have agreed upon as a way of offering him/her new development opportunities. We’ll say that you have given them an ongoing project – maybe it’s to gather data for a Project RETAINS study – for the information needed to plug into the RETAINS toolkit – that will calculate the staffing numbers for a report you want to make to your director. You begin by being an S1 – directing, telling, closely reviewing the employee’s work. She continues to gather data and becomes more comfortable with the process. The two of you are communicating regularly, you continue to closely monitor and direct the work. Will you use S1 throughout the project? If so why or why not?

How, when, where you would use the other two “secret” concepts of:

> One Minute Praisings – these are the key to developing people (P. 78) by praising you gradually change your leadership from the directive styles of S1 S2, to the nondirective or supporting and delegating styles of S3 and S4.
>
> One Minute Reprimands – usually reserved for D4’s, D3’s and occasionally D2’s – for the competent and committed, but who have a performance issue. Reprimands are not a training tool “but a way to deal with motivation and attitude problems”. You use reprimands with competent subordinates who have lost interest in a task.

“Reprimands top poor performance and may mean that a manager has to gradually move back from less direction and less support (delegating) to more support (supporting) or more directions (coaching & directing).”

Slide 88

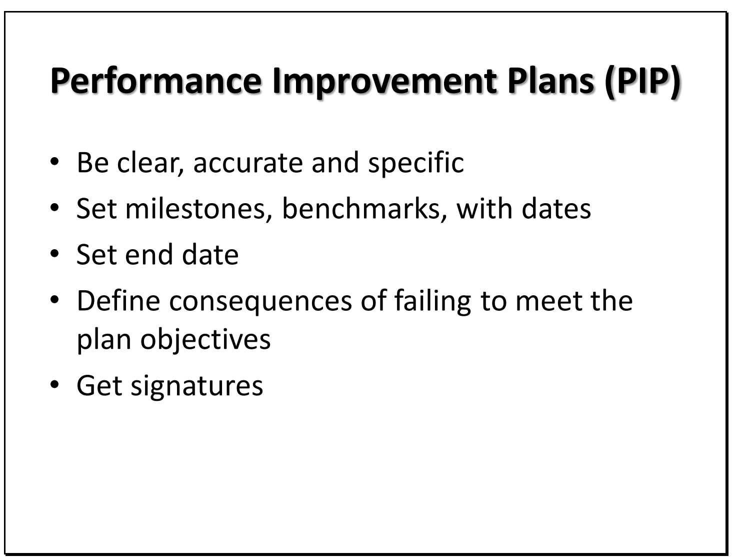


Situational Leadership/Partnering for Performance Activity

You will have **15 minutes** to review the scenario provided and using the situational leadership model, review the goal that has been set and determine the development level, and leadership style that would be most effective.

Using the Partnering for Performance Game Plan, on Page 94 of LOMM and using the information provided here, you will have an additional **20 minutes** to develop a complete performance plan. Utilize information provided in scenario and information you have available within the employee file.

Slide 89



Let's take a look at Performance Improvement Plans, as we look at employee performance. This plan differs from the situational leadership plan in that it is used almost exclusively to deal with performance *deficits* with a goal that requires improvement. Written PIPs provide:

- Specifics of the performance issue
- The standard that supports the need for change
- The impact on the organization and others
- Specific resources or assistance
- Milestone dates to assess progress toward goals
- End date by which improvement is expected
- Consequences of meeting or not meeting the objectives of the plan
- The employee's signature

Introducing the PIP:

- Schedule a distraction-free meeting
    - Acknowledge willingness on both sides to commit to turning things around
    - State the performance problem
    - Use examples to describe the effect of the problem on the agency or others
    - LISTEN
    - Review the entire plan
    - Adjust if necessary, based on feedback from the employee
    - Check for clarity – particularly what can be expected when the objectives are met or not met
    - Set follow-up meeting date(s)
    - End on a positive, supportive note
    - Make it clear that the employee can respond in writing and that the response will be attached to the PIP
    - Assure confidentiality

  At completion date:
    - Recognize the employee for successfully meeting objectives
    - Review and forward documentation to your supervisor or HR for personnel action

Performance Improvement Plan Activity

We are going to use a template for the next exercise. Your table will be given a case-study. Together you will have **20 minutes** to create the PIP. You will need to craft the language for each of the sections in the plan.

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Slide 91

Summary Unit 4 – Wrap up of Module A

In our discussion during the first part of the course, about the role of the supervisor, we hope it was apparent to you how critically important your position is to your organization. Because of this, it is clear why it is imperative that the first level supervisor be competent in many areas. To be effective, you really must be able to communicate with and enable others to do their best. Looking at the knowledge, skills and traits as well as the duties and tasks you are asked to perform every day; it is clear why you are such a pivotal person within your organization.

In addition, we had what we hope was a valuable discussion about HR issues. We're very fortunate to have had the opportunity to work with Greg Baxter on our HR piece because of his broad background in Human Resources.

The situational leadership model, relies on your assessment of the situation or goal, the development level of the employee (who has a part to play in the discussion) and the leadership "style" that you will use in that specific circumstance. This model requires flexibility, the ability to accurately diagnose the employee's development level, and goal setting. It can move from the most directive of styles, to the least directive and most supportive (delegating) of styles, but ALSO MOVES IN THE REVERSE, as dictated by the "situation".

It DOES take time and energy to invest in your employees. It CAN be challenging, but also extremely rewarding. Supervisors DO have a duty to their agencies, managers, peers, and subordinates to foster the most effective workplaces possible.

The concepts in Leadership and the One Minute Manager are concepts that provide not only hands-on real-life tools for supervisors, but a vision of what a supervisor/leader can do to enrich not only his/her own work experience and the workplace for his/her employees, but the culture of the organization as well. As you go through your pre-course reading for the next module you will see that we are examining these concepts further.